



# DEVELOPMENTAL PROGRAMS BULLETIN

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE

DATE OF ISSUE  
February 11, 2013

EFFECTIVE DATE  
February 9, 2013

NUMBER  
6400-13-02

SUBJECT:

**Participant Rights — Statement of Policy**

BY:

A handwritten signature in black ink that reads "Fred C. Lokuta".

Fred C. Lokuta  
Acting Deputy Secretary for Developmental Programs

## SCOPE:

Individuals and Families  
Administrative Entity (AE) Administrators or Directors  
County Mental Health/Intellectual Disability Program (MH/ID) Administrators and Directors  
Supports Coordination Organization (SCO) Directors  
Providers of Waiver Services

## PURPOSE:

The purpose of this bulletin is to establish and publish participant rights under §51.17(b) (relating to incident management).

## DISCUSSION:

Chapter 51 (relating to Office of Developmental Programs home and community-based services) provides the requirements for providers in the Adult Autism, Consolidated and Person Family Directed Supports (P/FDS) waivers. Section 51.17(b) provides that a provider shall take prompt action to protect participant health, safety and rights and that the Department will establish participant rights by Departmental guidelines. 55 Pa. Code § 51.17(b). This guideline establishes these rights.

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:  
**The Appropriate Developmental Programs Regional Office**

**GUIDELINE:**

This guideline is contained in Annex A to this bulletin.

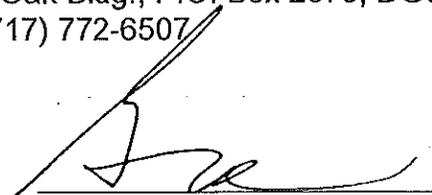
**EFFECTIVE DATE:**

This statement of policy is effective upon publication in the *Pennsylvania Bulletin*.

**CONTACT PERSON:**

Questions should be directed to the Regional Program Manager at the appropriate regional ODP as identified below. Copies of this statement of policy may be obtained at the local MH/ID County Program, AE or regional ODP in the corresponding regions:

- *Western region:* Piatt Place, Room 4900, 301 5<sup>th</sup> Ave., Pittsburgh, PA 15222 (412) 565-5144
- *Northeast region:* Room 315 Scranton State Office Bldg., 100 Lackawanna Ave., Scranton, PA 18503 (570) 963-4749
- *Southeast region:* 801 Market St. Suite 5071, Philadelphia, PA 19107 (215) 560-2242 or (215) 560-2245
- *Central region:* Room 430 Willow Oak Bldg., P.O. Box 2675, DGS Annex Complex, Harrisburg, PA 17105 (717) 772-6507



Gary D. Alexander  
Secretary of Public Welfare

**ANNEX A**

**STATEMENT OF POLICY**

**DEPARTMENT OF PUBLIC WELFARE**

**OFFICE OF DEVELOPMENTAL PROGRAMS**

[55 Pa. Code Chapter 51]

Office of Developmental Programs Home and Community-Based Services

**§ 51.17a. Participant rights – statement of policy.**

The following are the participant rights under § 51.17(b) (relating to incident management):

- (1) A participant shall be treated with dignity and respect.
- (2) A participant may not be discriminated against because of ethnicity, religious affiliation, disability, ancestry, national origin, age, gender, or sexual orientation nor be deprived of civil or legal rights.
- (3) A participant has the right to be free from abuse, neglect and exploitation and has the right to report abuse, neglect or exploitation.
- (4) A participant has the right to voice complaints or concerns about treatment or services.

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

**The Appropriate Regional Office of Developmental Programs**