

Frequently Asked Questions about Unlicensed Personal Care Homes

Q: When must a home have a license to operate a Personal Care Home?

A: The law requires that homes have a license from the Department of Public Welfare (Department) **whenever 4 or more people with personal care needs and are unrelated to the operator live in the home.** It does not matter if the home is providing personal care services; if 4 of the people who live in the home need personal care, then home must be licensed.

Q: What are personal care services?

A: Personal care services include assistance or supervision with one or more activities such as eating, drinking, ambulating, transferring in and out of a bed or chair, toileting, bladder and bowel management, personal hygiene, securing health care, managing health care, self-administering medication, proper turning and positioning in a bed or chair, doing laundry, shopping, securing and using transportation, managing finances, using a telephone, making and keeping appointments, caring for personal possessions, writing correspondence, engaging in social and leisure activities, using a prosthetic device, and obtaining and keeping clean, seasonal clothing. **If a person needs help or supervision with one or more of the above activities, then that person requires personal care services.**

Q: What counts as a “relative”?

A: Spouses, parents, children, stepparents, stepchildren, grandparents, grandchildren, brothers, sisters, half-brothers, half-sisters, aunts, uncles, nieces and nephews are the only types of relations considered relatives.

Q: What will happen if I operate a Personal Care Home without a license?

A: If the Department receives a complaint of unlicensed operation, Adult Residential Licensing inspectors have the legal right to conduct an unannounced, onsite inspection at the home. If the home is found to be operating without a license, the operator will be fined and ordered to cease operation. In cases where the residents of an unlicensed home are at risk of death or serious injury, the Department may remove the residents immediately. **If a resident of an unlicensed home suffers injury or death from neglect or mistreatment, the Department will refer the case to local, state, and federal law enforcement agencies for investigation.**

Q: What are some examples of homes that do or do not need a Personal Care Home license?

A: The table below shows examples of homes that do or do not need a Personal Care Home license:

If the home has...

Three people who have personal care needs and two who do not.

Five people with personal care needs, two of whom are brothers of the operator.

Four people with personal care needs who receive nothing other than food and a place to sleep from the home.

Ten people with personal care needs, three of whom are related to the operator, and only three of whom receive personal care services from the home.

Then...

The home does **NOT** need a license to operate from the Department.

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The home **DOES** need a license to operate from the Department.

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Q: I have a rooming house or boarding home license from my township/city. Isn't that the same as a license to operate a Personal Care Home?

A: **NO.** Although local municipalities may offer or require licenses to operate a rooming house, a license from the Department is also required if 4 or more people with personal care needs are served.

Sample Personal Care Home License

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE

CERTIFICATE OF COMPLIANCE

This Certificate is hereby granted to MR. AND MRS. SAMPLE

LEGAL ENTITY

To operate SAMPLE PERSONAL CARE HOME

NAME OF FACILITY OR AGENCY

Located at 123 NSAMPLE ROAD SAMPLE, PA 17092

(COMPLETE ADDRESS OF FACILITY OR AGENCY)

ADDRESS OF SATELLITE SITE _____ ADDRESS OF SATELLITE SITE _____

ADDRESS OF SATELLITE SITE _____ ADDRESS OF SATELLITE SITE _____

ADDRESS OF SATELLITE SITE _____ ADDRESS OF SATELLITE SITE _____

To provide Personal Care Homes

TYPE OF SERVICE(S) TO BE PROVIDED

The total number of persons which may be cared for at one time may not exceed 15
or the maximum capacity permitted by the Certificate of Occupancy, whichever is smaller. (MAXIMUM CAPACITY)

Restrictions: _____

This certificate is granted in accordance with the Public Welfare Code of 1967, P.L. 31, as amended, and Regulations

55 Pa.Code Chapter 2600: Personal Care Homes

(MANUAL NUMBER AND TITLE OF REGULATIONS)

and shall remain in effect from January 4, 2009 until January 4, 2010,
unless sooner revoked for non-compliance with applicable laws and regulations.

No: 199990

Robert E. Robinson

ISSUING OFFICER

Kevin T. Casey

DEPUTY SECRETARY

NOTE: This certificate is issued for the above site(s) only and is not transferable and should be posted in a conspicuous place in the facility.

PW 628 - 4/02

How to Recognize and Understand a Personal Care Home

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE**

CERTIFICATE OF COMPLIANCE

This Certificate is hereby granted to **MR. AND MRS. SAMPLE**

To operate **SAMPLE PERSONAL CARE HOME**

Located at **123 NSAMPLE ROAD SAMPLE, PA 17092**

To provide **Personal Care Homes**

The total number of persons which may be cared for at one time may not exceed **15** or the maximum capacity permitted by the Certificate of Occupancy, whichever is smaller.

Restrictions: _____

This certificate is granted in accordance with the Public Welfare Code of 1967, P.L. 31, as amended, and Regulations **55 Pa. Code Chapter 2600: Personal Care Homes** and shall remain in effect from **January 4, 2009** until **January 4, 2010** unless sooner revoked for non-compliance with applicable laws and regulations.

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Callout Boxes:

- This is the name of the Personal Care Home
- This is the address where the Personal Care Home is located
- This is the type of care the home can provide. It must read "Personal Care"
- This is the set of regulations that governs how Personal Care Homes operate
- This is the Personal Care Home's license number
- This is the owner of the Personal Care Home
- This is the maximum number of people the home can serve
- This is the period that the license is effective
- This is the issuing officer's
- This is the Deputy Secretary's signature