1. ***Will we receive the PowerPoint presentation shown in webinar?***

A self-paced, online training that is very similar to the PowerPoint presentation will be made available to everyone on the DHS licensing website. Licensed providers will receive an email communication from the listserv once the self-paced training is posted on the DHS licensing website. In addition, a Quick Reference Guide will be emailed out to everyone and will also be posted on the DHS licensing website. <http://www.dhs.pa.gov/provider/human-services-licensing/index.htm>

1. ***When a POC is rejected, will it specify why it is rejected so you know what your second POC follow up should include?***

Yes.

1. ***Will everyone that attended this webinar be getting a certificate of completion for our records? Is this considered training hours for us?***

Webinar attendees will not be getting a certificate, but you can document that you attended the training and print the Quick Reference Guide for your records. The Quick Reference Guide has been emailed to webinar registrants and has been posted on the DHS licensing website.

A certificate of completion is available for participants who complete the self-paced training. Documentation of this training may be considered as training hours.

1. ***The regulation states that water cannot exceed 110 degrees not 120 degrees as stated in the training. Did this change?***

The hot water example in the training is for demonstration purposes only and may not apply to all licensing regulations. As such, please check with your DHS Program Office if you are unclear about the regulatory requirement for hot water for your specific license.

1. ***Where do we find the DHS Bulletin?***

You can find the bulletin on the DHS licensing website under “What’s New”. <http://www.dhs.pa.gov/provider/human-services-licensing/index.htm>

1. ***What are the implications if there is a revocation or provisional license issued for CYS?***

Contact your DHS Regional/Program Office to discuss implications of enforcement actions.

1. ***Are we now required to submit documentation, or is it a recommendation?***

You can submit documentation and your DHS Program Office may follow-up with additional questions or perform an on-site visit to verify implementation of the POC

1. ***If I submit a photo of a physical site repairs and they are acceptable, would this mean that our certification rep would not come back on site to check those areas?***

As each situation is unique, it may or may not require an onsite visit. Please contact your Licensing Representative on your particular situation.

1. ***Can you reiterate the timelines for POC completion, DHS review, and resubmission? Will a representative be out 30 days after the date for a plan of correction that has been implemented? Is there a time frame for a POC to be inclusive of a second violation for the same thing?***

This is referencing documentation that was listed in the presentation and bulletin that was issued by DHS via listserv on Monday, 7/15/2019. The bulletin contains all the timeframes and can be found on the DHS licensing website under “What’s New”. <http://www.dhs.pa.gov/provider/human-services-licensing/index.htm>

1. ***What happens if the provider does not submit a POC within the 10 calendar days?***

DHS expects providers to comply with the policy effective 10/1/2019. While the expectation is that a POC is submitted within 10 calendar days, providers should work with the Program Office to explain circumstances that may require a need for a longer time period. As most, if not all, violations will be discussed at the exit conference providers are encouraged to start to think about their plan of correction prior to receiving the LIS. Failure to submit a timely POC may result in further licensing action, up to and including provisional status or revocation.

1. ***On the timeline, why is everything "business" days except the provider's first POC, which is "calendar" days"? All of the timeframes connected to the licensing process occur in what is termed business days, where the weekend days are not taken into account, with the exception of the 10-calendar day requirement for providers to submit plans of correction.  Is that accurate?  In calendar days, DHS has 21 calendar days to the provider’s 10 or 15 business days for DHS to the provider’s 8.***

Yes, the Department chose 10 calendar days for the licensee to return the POC. It is important to receive a POC from the provider in a timely manner. Since many organizations that we license operate 24/7 facilities, 10 calendar days is a reasonable time period to receive your response. DHS will review your POC and make decisions based on your submission. Please also note that most, if not all violations, will be discussed at the exit conference. As such, providers are encouraged to start to think about their plan of correction prior to receiving the LIS.

1. ***Our inspector provides us immediately with feedback. If a plan of correction is needed, we write the plan together. Is the 15-day window for questionable violations only?***

A POC is needed for all violations listed on an LIS, even if the violation was corrected during the inspection. Please remember, a POC is not just about correcting the issue but also how the licensee will prevent the violation from occurring again. The 15-day issuance of an LIS is applicable to all violations.

1. ***Question related to the DHS Bulletin.  In the Procedures section – the timeframes for providers to respond to the LIS in item #3 is based on the sent date – “The licensee should return the POC to DHS no later than 10 calendar days after DHS sent the LIS to the licensee.”  Then in item #7 the timeframe for DHS is based on the receipt date.  Would the department consider amending the timeframe for providers to be based on the receipt date as opposed to the sent date?***

The Department will maintain this process. In most cases, we are sending the LIS electronically, in which case the sent and receipt date are the same. If you are not receiving electronically, please contact the DHS Program Office with your information to correspond electronically.

1. ***Are there considerations for those regulations being cited that are not relevant in 2019...i.e. baptism records?***

POC must respond to all violations found on the LIS. Please contact your DHS Program Office with questions related to regulations.

1. ***Can there be additional information provided for citations resulting from statute, not regulations (Ex: OMHSAS citations related to Act 25 of 2018 related to in person psychiatric time)?***

Citations will include specific references to statutes.

1. **What communicable disease screens must be done?**

Requirements depend on the regulation applicable to the type of license. Check with your DHS Program Office.

1. **I am confused, I feel like we have always had to do a POC with the rep at the time of inspection. Has this changed? Will we no longer complete this at the time of inspection with our Rep?**

As long as you ask the Licensing Representative for help, it has not changed. You will always receive a Licensing Inspection Summary. A Plan of Correction is needed when an LIS has been issued to your entity.

1. **What can we do as providers if we do not receive our LIS by the 15th business day from inspection? The 15th business day for my survey was July 17th and I have not received anything for one of my programs.**

Contact your DHS Program Office to request an update.

1. **Do you know if licensing will be less than 12 months - some of the licensing for ODP is off by many months - like 9 months for one?**

Contact your DHS Program Office.

1. **Will there be a way to print the POC or do we need to continue to cut and paste off of the CLS?**

The Department does not believe there is a way to print the POC. Contact your DHS Program Office for assistance on this matter.

1. ***The POC is all about corrections to regulations. What about citations on bulletins which are not regulations?***

The POC must respond to all violations found on the LIS. The citations on an LIS will be for violations of regulations or statutes. However, bulletins may also be referenced in support or clarification of the Department’s application of the regulations or statutes. If a bulletin is referenced, the POC must be responsive to that as well.

1. ***How do you dispute a violation?***

Any potential violations should be discussed during the exit conference if the provider believes they have evidence to dispute the violation that they can provide at the time of inspection.  Chapter 20 does not permit a provider to appeal an individual violation when there is no associated enforcement action.  For example, if the violation results in a provisional license or revocation, the provider has appeal rights related to that enforcement action. The regulatory violations cited may then be disputed during the appeal process.  Contact the DHS Program Office to discuss any concerns.

1. ***Is this for Child Care? It seems to be about Nursing Homes.***

This applies for any facility licensed through DHS.

1. ***How do you write a POC for immunizations missed, specifically flu shots?***

Please contact your DHS Program Office.

1. ***Can you tell me when the clarification manual for the chapter 3270 will be distributed?***

Please contact your DHS Program Office.

1. ***Childcare centers may not be open for 10 calendar days due to school breaks. Will this be taken into consideration when providers have 10 calendar days?***

The expectation is that a POC is submitted within 10 calendar days. Please work with the DHS Program Office to explain circumstances that may require a longer period.

1. ***In your timeline/work plan, identify turn off the water to shower (7/15), and the next step is fix by 7/25. Does the community need to also identify the steps they are taking to provide a shower/shower access to that resident to avoid a later violation on resident rights (taking away a service/function) from the resident?***

The hot water scenario is just an example for training purposes. For specific technical assistance on a plan, please contact your DHS Program Office.

1. ***Will there be a way to submit evidence and documentation online in the future?***

This varies by DHS Program Office. Please contact your Licensing Representative for further information.

1. ***What warrants a provisional license?***

A provisional license can be used for any non-compliance with DHS regulations, statutes or policies.

1. ***The bulletin states DHS will attempt to issue an LIS within 15 business days of exit… Is providers receiving an LIS within 15 business days of exit going to be a new requirement for DHS?***

The issuance of the LIS within 15 business days was used by some DHS Program Offices within DHS. With this bulletin, we are making it a consistent goal for all DHS Program Offices.

1. ***The POC training webinar indicated that the Department will automatically issue a provisional license if a repeat violation is found during an onsite verification inspection following implementation of a POC. Will the Department consider additional steps the home implemented to correct the repeated violation and prevent reoccurrence? For instance, if during a quality assurance review the home discovers a new violation of failure to meet fire drill evacuation time requirement and subsequently implements a new plan of correction to prevent it from occurring again (move resident with mobility needs closer to exit) will the Department automatically take enforcement action?***

When making decisions regarding the licensing status of facilities, the Department will consider the totality of the circumstances relating to the violations including additional steps the facility has taken to correct a repeated violation after implementation of the initial POC. The repeated violation would be cited; however, the additional POC steps would be taken into consideration in the decision-making process regarding license status.

1. **The Personal Care Homes (PCH) Regulatory Compliance Guide requires 12 of the 24 hours of annual administrator training to be in-person rather than on-line. Does the DHS POC Webinar training count towards the 12 hours of in-person training requirement?**

Yes, live webinar attendance may be counted as in-person training for purposes of fulfilling the requirements of 2600.64 (c) and 2800.64 (c).  The Administrator should document the date and time of the live webinar that they attended on their training record. If providers missed the webinar sessions, online training is available at <http://services.dpw.state.pa.us/DPC-Provider-Training/index.html> .  The online, self-paced training may be counted towards online training hours.

|  |
| --- |
| **For further clarification on Developing a Plan of Correction Provider Training materials, visit** [**http://www.dhs.pa.gov/provider/human-services-licensing/index.htm**](http://www.dhs.pa.gov/provider/human-services-licensing/index.htm) **or****email DHS at** **ra-pwPOCTraining@pa.gov** **.** |