



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
ROOM 423 HEALTH & WELFARE BUILDING
7TH & FORSTER STREETS
HARRISBURG, PENNSYLVANIA 17120

ADULT RESIDENTIAL LICENSING

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January 19, 2011

Dear Personal Care Home Stakeholder:

On September 18, 2010, the Pennsylvania Department of Public Welfare (Department) published a Statement of Policy in the *Pennsylvania Bulletin* describing how the Department would apply 55 Pa. Code § 2600.14(a) (relating to fire-safety approval) to personal care homes. This document is commonly referred to as the "Certificate of Occupancy Statement of Policy". Since that time, the Department has worked closely with trade associations, members of the advocacy community, fire-safety experts, and other personal care home stakeholders to ensure that the Certificate of Occupancy Statement of Policy affords Pennsylvania's personal care home residents the greatest possible protection from fires and fire-related emergencies.

This letter is to inform you that, after much deliberation, we believe the Statement of Policy should be revised to more accurately reflect the highest standards of protection for individuals with mobility needs. The Department intends to continue working with personal care home stakeholders to design a Statement of Policy that focuses on elements of design, construction, staffing and operation which will allow persons with mobility needs to be served.

As such, the Department will NOT subject any personal care home to licensing enforcement action (such as the issuance of a provisional license, the assessment of fines, or the imposition of a ban on admissions) solely as a result of noncompliance with the provisions of the Certificate of Occupancy Statement of Policy. Personal care homes will not be subject to enforcement action for admitting new residents with mobility needs or for serving existing residents with mobility needs regardless of the Certificate of Occupancy issued to the home as specified in the Certificate of Occupancy Statement of Policy.

When a revised Statement of Policy is issued, the Department will notify all licensed personal care homes of the new policy's requirements, including how the Department will enforce the new policy, prior to the policy's implementation.

Thank you for your ongoing service to Pennsylvania's personal care home residents. If you have any questions about this notice, please contact the Adult Residential Licensing Operator Support Hotline toll-free at 1-866-503-3926.

Sincerely,

Ronald C. Melusky

Ronald C. Melusky
Acting Director