

**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF HUMAN SERVICES  
BUREAU OF HUMAN SERVICES LICENSING  
Personal Care Homes (55 Pa.Code Chapter 2600)**

**Q/A - Regulatory Clarifications – November 2016**

*The clarifications and interpretations below will remain on the Department's web site until the information is included in the next updated Regulatory Compliance Guide (RCG).*

**Regulation:      § 2600.16(a)(6) – Reportable Incidents and Conditions**

*§ 2600.16(a) - A reportable incident or condition includes the following:*

*(6) Misuse of a resident's funds by the home's staff persons or legal entity.*

**Question:** On page 240 of the PCH Regulatory Compliance Guide (RCG; dated April 1, 2013), what must a home report and what does the home not need to report regarding misuse of a resident's funds by the home's staff persons or legal entity?

**ANSWER:** The home must report any known or reasonable suspicion of misuse of funds by any person employed by the home or by the legal entity. In addition, homes must also report misuse of funds by a volunteer, family member, or a private caregiver. "Misuse of funds" also includes theft.

Page 240 of the PCH RCG currently states:

Homes MUST Report	Homes DO NOT Need to Report	Other information
Known or reasonable suspicion of misuse of funds by any person employed by the home or by the legal entity.	<ul style="list-style-type: none"> <li>- Suspected misuse of funds by any person employed by the home or by the legal entity.</li> <li>- Misuse of funds by a volunteer, family member, or a private caregiver.</li> </ul>	It is recommended but not required that suspected misuse of funds by any person employed by the home or by the legal entity, or misuse of funds by a volunteer, family member, or a private caregiver be reported. If the police are investigating misuse of funds by anyone, the incident must be reported as described at § 2600.16(a)(11), below.

Page 240 of the PCH RCG will be amended to state:

Homes MUST Report	Homes DO NOT Need to Report	Other information
Known or reasonable suspicion of misuse of funds by any person employed by the home or by the legal entity.  Misuse of funds by a volunteer, family member, or a private caregiver.  Misuse of funds also includes theft.	NA	NA