

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF HUMAN SERVICES
BUREAU OF HUMAN SERVICES LICENSING
Assisted Living Residences (55 Pa.Code Chapter 2800)**

Q/A - Regulatory Clarifications – March 2019

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).

Question: If a legal entity is transitioning a Personal Care Home (PCH) to an Assisted Living Residence (ALR), is new resident paperwork/admission documentation required?

ANSWER:

For the resident-home/resident-residence contract, if the terms of the resident-home contract have changed, then a new resident-residence contract must be completed. If terms of the contract (including rate for room and board, etc.) remain fundamentally the same, then an addendum statement can be added to the current resident-home contract indicating the date of admission to the new residence and stating that the terms of the previously signed contract remain the same. The contract/addendum must indicate that the contract runs month-to-month with automatic renewal unless terminated by the resident with 14 days notice or by the residence with 30 days notice in accordance with § 2800.228 (relating to transfer and discharge). In addition, the contract/addendum must include:

- A fee schedule that lists the actual amount of charges for each of the assisted living services that are included in the resident's core service package in accordance with § 2800.220 (relating to service provision).
- A list of assisted living services or supplemental health care services, or both, to be provided to the resident based on the outcome of the resident's support plan, a list of the actual rates that the resident will be periodically charged for food, shelter and services and how, when and by whom payment is to be made.
- The resident-residence contract shall identify the assisted living services included in the core service package the individual is purchasing and the total price for those services. Supplemental health care services shall be packaged, contracted and priced separately from the resident-residence contract. Services provided by or contracted for by the residence other than supplemental health care services must be priced separately from the service package in the resident-residence contract.

The operator must provide a 30-day notice if there are any changes to the contract or home rules, or if they want to enter into a new contract. A new contract or addendum to the existing resident-home should be completed as soon as possible after the license status change from PCH to ALR, but no longer than one week thereafter.

For the assessment and support plan, new documentation is not needed unless there is a significant change. However, the home shall add an addendum statement indicating

the date of the license status change. The assessment and support plan (ASP) or addendum must include:

- The individual's ability to safely operate key-locking devices;
- Documentation of the assisted living services and supplemental health care services, if applicable, that will be provided to the individual.

The resident RASP should be updated, or a new ASP completed within 30 days prior to the license status change, but no longer than 15 days after. The updated RASP or new ASP must be reviewed and approved by a licensed practical nurse under the supervision of a registered nurse per § 2800.227. The final support plan shall be attached to or incorporated into and serve as part of the resident-residence contract.

If the medical evaluation was completed in the past year, a new medical evaluation would not need to be completed unless there was a significant change. However, unless there is documentation that a tuberculin skin test has been administered with negative results within the past two years, or the results of a chest X-ray, if the tuberculin skin test was positive, then a tuberculin skin test must be completed within 15 days.

Paperwork completed to demonstrate compliance with § 2600.191 relating to resident rights and § 2600.44(a) relating to informing the residents of complaint procedures for the PCH residents may be used to demonstrate compliance with § § 2800.191 and 2800.44(a), respectively. The facility must complete all other paperwork requirements as defined by the regulations.