

**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF PUBLIC WELFARE**  
**BUREAU OF HUMAN SERVICES LICENSING**  
**Community Residential Rehabilitation Services for the Mentally III**  
(55 Pa.Code Chapter 5310)

**Q/A - Regulatory Clarifications – September 2014**

*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).*

**Regulations:**    **Forms - § 5310.32(c), (e) – Intake; § 5310.33(b), (c) – Residential Service Plan; § 5310.51(b) – Case Record; § 5310.122(b) – Intake; § 5310.123(b), (c) - Residential Service Plan**

*The above are all of the regulations which pertain to resident records.*

**Question:** How does a home comply with the regulations relating to forms and records, if the regulations do not address the use of standardized forms?

**ANSWER:** The home may use its own forms to record resident information, as long as those forms address all informational items required by the regulation.

**Regulation:**    **§ 5310.72(h) – Safety Procedures**

*The CRRS must have a written plan and procedures for meeting emergencies, such as missing residents, fire, flood, strike, and internal or external disaster. These procedures must be reviewed with each new staff person and annually with all staff.*

**Questions:** 1.) How do we interpret "such as"? Is this just giving examples, or are we taking "such as" to mean you must have policies on missing residents, fire, flood, strike, and internal or external disaster? 2.) If we are saying they must have the policies on all of these items, does not having a union affect the need to have a policy on strikes?

**ANSWER:** The CRR must have a written emergency plan that includes all of the elements listed in § 5310.72(h), at a minimum. If a facility has addressed each of these elements (missing residents, fire, flood, strike, and internal and external disaster), no regulatory violation exists. It is

recommended, but not required that the facility address various types of internal and external disasters and take into consideration emergencies likely to affect their area or region. For example, a facility within ten miles of a nuclear power plant should have a plan to evacuate beyond the ten-mile radius of the plant. A facility is exempt from the requirement to address strikes if their staff members are not covered by a union.