

**COMMONWEALTH OF PENNSYLVANIA**  
**DEPARTMENT OF PUBLIC WELFARE**  
**BUREAU OF HUMAN SERVICES LICENSING**  
**Long-Term Structured Residence (55 Pa.Code Chapter 5320)**

**Q/A - Regulatory Clarifications – June 2015**

*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: § 5320.41(2) – Physical Examinations**

*§ 5320.41 – The provider shall require and document preemployment and biennial physical examinations for direct-care and support staff to include screening for:*

- (1) Tuberculosis*
- (2) Hepatitis*

**Question:** Does each direct-care and support staff member need to be checked for Hepatitis A, B, & C?

**ANSWER:** No. The Department has determined that it will only measure compliance with Hepatitis B. Therefore, the facility's direct-care and support staff members need to be checked for Hepatitis B only, unless otherwise directed by a physician.

**Regulation: § 5320.42(5) – Staffing Levels**

*§ 5320.42(5) – The provider of LTSR services shall:*

- (5) Have sufficient psychiatric time available to meet the psychiatric needs of the resident. At least 1/2 hour of psychiatric time per resident per week is required.*

**Question:** Must the psychiatric time referred to in this regulation be fulfilled by only a psychiatrist, or may some of the ½ hour per resident per week time be fulfilled by a licensed CRNP, psychiatric nurse practitioner or Physician Assistant?

**ANSWER:** The Department has consistently maintained that the ½ hour per resident per week must be fulfilled by a psychiatrist only. The rationale is that the role of the psychiatrist in the LTSR extends beyond medication management. Psychiatrists fulfill the role of treatment team leader and supervise and direct other staff in the implementation of the residents' treatment goals and the review of all written elements of the resident treatment plans. Therefore ½ hour per resident per week of

psychiatric time is viewed as a minimum standard. Many LTSR programs have more than ½ hour per resident per week of psychiatric time.

The Department allows LTSR programs to augment the ½ hour per resident per week of psychiatric time with additional hours of psychiatric assistance using properly licensed CRNP's, psychiatric nurse practitioners and/or Physicians Assistants who are directly supervised by the psychiatrist.