

Adult Residential Licensing

2008 ANNUAL REPORT

A Report on Licensed Personal Care Homes

**Commonwealth of Pennsylvania
Department of Public Welfare**

March 27, 2009

**ADULT RESIDENTIAL LICENSING
2008 ANNUAL REPORT**

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Introduction

Personal care homes are residential facilities that provide personal care services, assistance and supervision to four or more adults who need such services.

The Department of Public Welfare's Adult Residential Licensing program protects the health, safety and welfare of more than 50,000 vulnerable adults who reside in personal care homes, through the application and enforcement of state licensing regulations. Each home is inspected by the state licensing agency at least once a year, and many homes are inspected several times a year.

This report describes the homes inspected and licensed, annual trends in the number of personal care homes, the needs of residents served in personal care homes, the types of violations found, the nature of complaints and incidents received and investigated, the types of enforcement actions taken and other Adult Residential Licensing activities in calendar year 2008.

In this report, personal care homes are referred to as "PCHs," or "homes," the Department of Public Welfare is referred to as "Department," and Adult Residential Licensing is referred to as "ARL."

The information in this report covers the period of January 1, 2008 through December 31, 2008.

Executive Summary

As of December 31, 2008, there were 1,446 licensed personal care homes in the Commonwealth of Pennsylvania. Of those, 1,024 were for-profit, and 422 were non-profit.

The total personal care home capacity on any given day in 2008 was about 69,000, with the total number of persons served about 49,000. This constitutes an occupancy rate of 71% and a vacancy rate of 29%.

Residents who are 60 years of age or older made up 76% of all people served in a PCH. Residents with low income who receive the Supplemental Security Income (SSI) PCH supplement made up 18% of all people served in a PCH. Residents with mental illness make up 16% of the people served. Of the total number of homes, 62% serve persons who receive SSI.

ARL completed 2,895 inspections in 2008. About 50% of all homes had more than one inspection.

A total of 28,991 regulatory violations were found during inspections in 2008, with an average of 16 violations found during each annual renewal licensing inspection. The most commonly found violations included incomplete medical evaluations, improper documentation of medication administration, the inability to evacuate residents quickly in the event of fire or other emergency and the failure to keep poisons locked and inaccessible to residents.

ARL received 1,683 complaints and 19,000 incident reports in 2008.

ARL issued 381 enforcement actions in 2008, most of which were Provisional (warning) licenses. Three of those actions were emergency closures in response to life safety dangers.

ARL granted 32 requests and denied 20 requests for waivers of regulations in 2008. The most common waiver requests related to qualifications of direct-care staff (most due to staff holding a non-U.S. diploma) and ceiling height (lower than the required 7 feet).

ARL's goals for 2009 include: maintain up-to-date licensing inspections, increase public access to licensing information, increase technical assistance to homes, continue enforcement actions against noncompliant homes, implement an administrative fines system, and monitor statewide operations from a centralized location.

Characteristics of Pennsylvania's Personal Care Homes

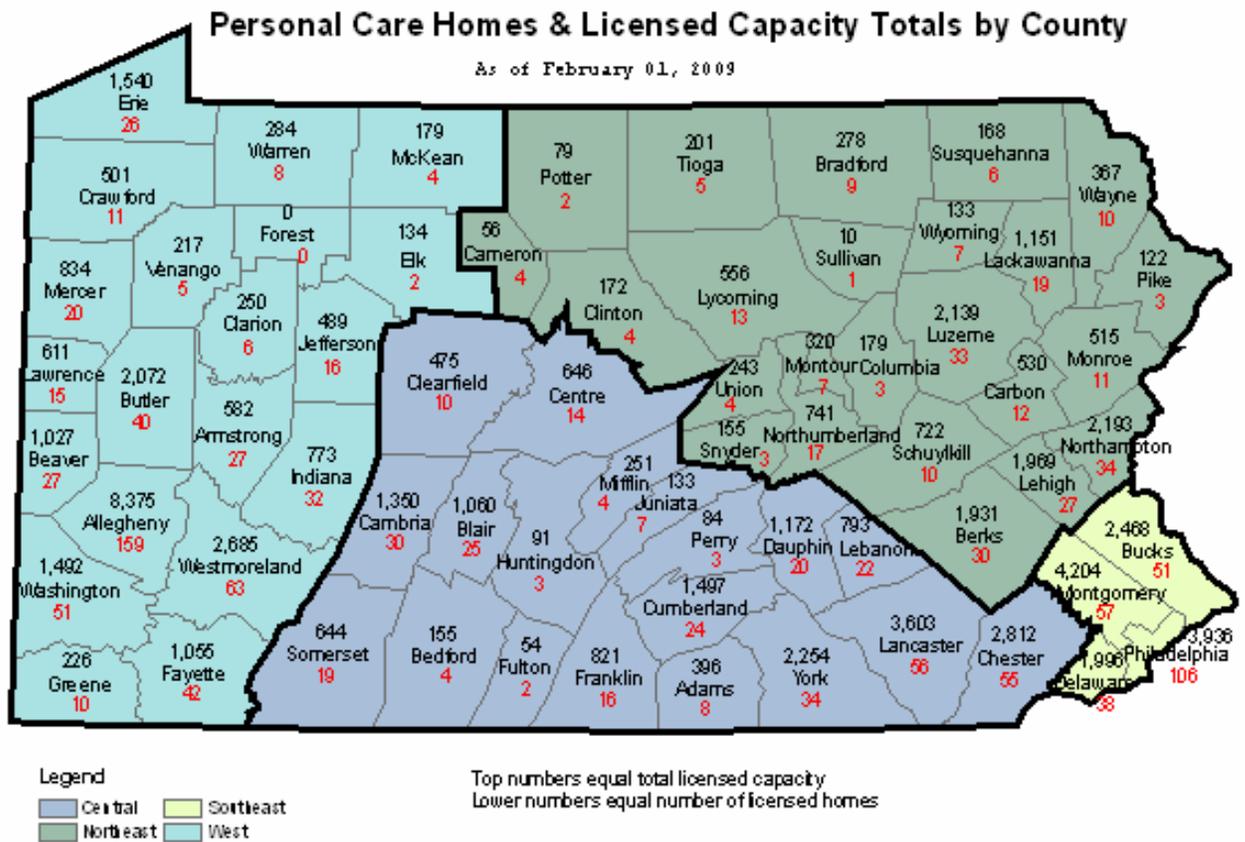
There are approximately 1,450 personal care homes licensed in Pennsylvania. The exact number of homes changes as new homes open and other homes close. As of December 31, 2008, there were 1,446 licensed personal care homes in the Commonwealth.

Personal care homes vary in size. A PCH's maximum capacity is the highest number of people that can be served in the home and is indicated on the home's license. The smallest personal care home has a maximum capacity of 4 persons; the largest personal care home has a maximum capacity of more than 250 persons. The average maximum capacity of a personal care home is 48; the average number of persons served is 34.

Size of Personal Care Homes

9 People or fewer	15.6%
10 - 29 People	28.9%
30 - 50 People	20.4%
51 - 75 People	14.3%
76 - 100 People	10.2%
100 - 200 People	9.8%
Over 200 People	Less than 1%

Personal care homes are located in nearly every county in Pennsylvania. The following map shows the location of Pennsylvania's personal care homes.



The following table shows the number and description of homes by ARL Region.

Personal Care Home Demographic Information by ARL Region

	4-8	20	15	35
	9-29	52	31	83
	30>	69	65	134
Region Total		141	111	252
	4-8	17	5	22
	9-29	59	14	73
	30>	134	45	179
Region Total		210	64	274
	4-8	34	19	53
	9-29	70	19	89
	30>	118	96	214
Region Total		222	134	356
	4-8	93	14	107
	9-29	163	18	181
	30>	195	81	276
Region Total		451	113	564
	4-8	164	53	217
	9-29	344	82	426
	30>	516	287	803
State Total		1,024	422	1,446

The following 2-page table shows the maximum capacity and the number of residents served in each of Pennsylvania's 67 counties.

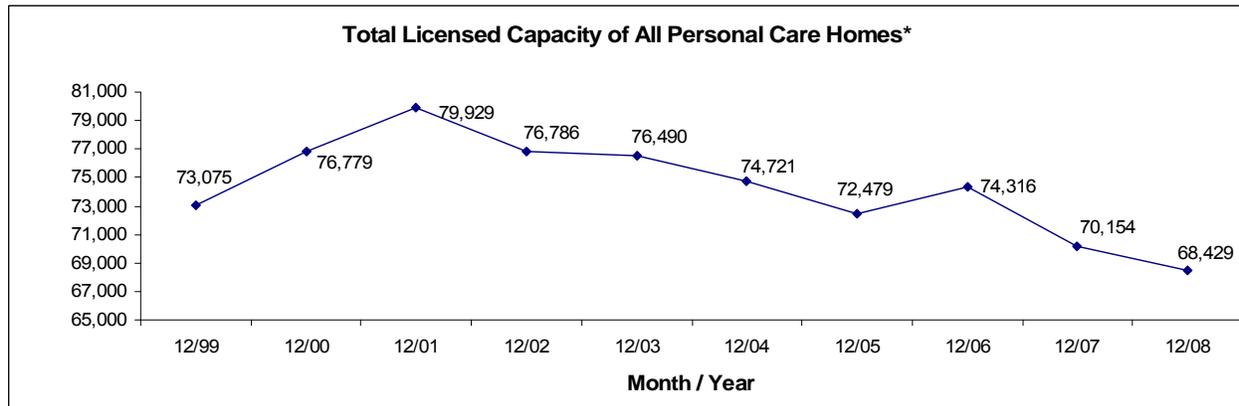
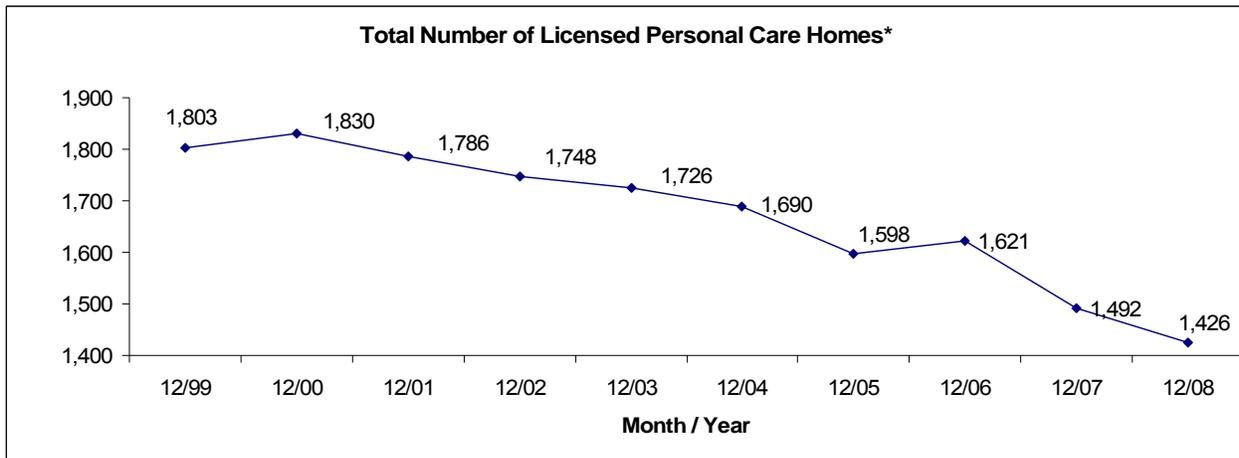
Capacity and Resident Information

County	Total Number of Homes	Total Licensed Capacity	Total Residents	Total SSI Residents	Total Homes w/SSI Residents	Homes with a Capacity of 4-8	Homes with a Capacity of 9-29	Homes with a Capacity of 30-99	Homes with a Capacity of 100+	Profit	Non Profit
ADAMS	8	396	290	85	5	1	3	2	2	6	2
ALLEGHENY	159	8,375	6,359	996	92	24	43	69	23	119	40
ARMSTRONG	27	582	498	118	22	10	9	8	0	24	3
BEAVER	27	1,027	809	148	19	9	6	9	3	25	2
BEDFORD	4	155	125	15	3	1	1	2	0	4	0
BERKS	30	1,931	1,541	220	14	0	7	18	5	25	5
BLAIR	25	1,060	850	195	20	3	9	12	1	15	10
BRADFORD	9	278	211	69	7	1	5	3	0	8	1
BUCKS	51	2468	1759	134	15	6	12	27	6	24	27
BUTLER	40	2,072	1,366	168	28	5	14	16	5	30	10
CAMBRIA	30	1,350	931	174	21	1	8	20	1	24	6
CAMERON	4	56	39	25	3	1	3	0	0	2	2
CARBON	12	530	622	75	9	3	3	4	2	10	2
CENTRE	14	646	428	63	10	1	3	9	1	9	5
CHESTER	55	2,812	1,656	72	14	12	14	19	10	32	23
CLARION	6	250	154	39	5	1	1	4	0	3	3
CLEARFIELD	10	475	369	94	8	0	2	8	0	8	2
CLINTON	4	172	122	45	1	1	1	2	0	4	0
COLUMBIA	3	179	155	26	3	0	0	3	0	3	0
CRAWFORD	11	501	352	111	9	1	4	5	1	5	6
CUMBERLAND	24	1,497	1,036	77	17	5	4	9	6	10	14
DAUPHIN	20	1,172	816	125	10	6	0	12	2	5	15
DELAWARE	38	1,996	1,390	161	18	12	7	10	9	23	15
ELK	2	134	87	4	2	0	0	2	0	0	2
ERIE	26	1,540	1,008	157	14	3	6	10	7	17	9
FAYETTE	42	1,055	806	203	31	8	21	13	0	41	1
FOREST	0	0	0	0	0	0	0	0	0	0	0
FRANKLIN	16	821	536	62	10	3	4	6	3	9	7
FULTON	2	54	42	30	2	0	1	1	0	2	0
GREENE	10	226	178	90	7	2	4	4	0	10	0
HUNTINGDON	3	91	74	33	3	1	0	2	0	1	2
INDIANA	32	773	569	225	26	7	13	12	0	27	5
JEFFERSON	16	489	387	110	15	2	5	9	0	13	3
JUNIATA	7	133	118	49	6	3	3	1	0	7	0
LACKAWANNA	19	1,151	943	288	11	0	2	16	1	14	5
LANCASTER	56	3,603	2,435	399	38	8	10	25	13	29	27
LAWRENCE	15	611	397	100	11	3	3	8	1	10	5
LEBANON	22	793	615	122	9	2	9	11	0	14	8
LEHIGH	27	1,969	1,453	163	13	1	5	13	8	21	6
LUZERNE	33	2,139	1,560	373	24	2	6	18	7	23	10
LYCOMING	13	556	358	87	7	1	7	4	1	8	5
MCKEAN	4	179	114	24	3	1	1	1	1	2	2
MERCER	20	834	525	73	14	8	2	7	3	15	5
MIFFLIN	4	251	185	22	3	0	0	4	0	2	2

County	Total Number of Homes	Total Licensed Capacity	Total Residents	Total SSI Residents	Total Homes w/SSI Residents	Homes with a Capacity of 4-8	Homes with a Capacity of 9-29	Homes with a Capacity of 30-99	Homes with a Capacity of 100+	Profit	Non Profit
MONROE	11	515	353	37	6	1	2	7	1	8	3
MONTGOMERY	57	4,204	2,745	83	14	2	9	31	15	26	31
MONTOUR	7	320	244	118	5	0	1	6	0	3	4
NORTHAMPTON	34	2,193	1,289	108	13	5	5	16	8	28	6
NORTHUMBERLAND	17	741	479	156	13	1	8	7	1	15	2
PERRY	3	84	43	19	3	1	1	1	0	2	1
PHILADELPHIA	106	3,936	2,831	1,059	83	15	55	26	10	68	38
PIKE	3	122	93	5	1	0	1	2	0	2	1
POTTER	2	79	41	12	2	0	0	2	0	1	1
SCHUYLKILL	10	722	515	67	6	0	2	6	2	9	1
SNYDER	3	155	127	44	2	0	1	2	0	3	0
SOMERSET	19	644	472	140	15	3	8	7	1	15	4
SULLIVAN	1	10	9	3	1	0	1	0	0	1	0
SUSQUEHANNA	6	168	149	43	5	0	4	2	0	6	0
TIOGA	5	201	139	44	5	0	1	4	0	2	3
UNION	4	243	158	22	4	0	1	2	1	2	2
VENANGO	5	217	161	80	4	0	1	4	0	3	2
WARREN	8	284	190	54	8	0	6	2	0	3	5
WASHINGTON	51	1,492	1,130	205	29	12	24	14	1	47	4
WAYNE	10	367	267	67	9	3	3	4	0	6	4
WESTMORELAND	63	2,685	2,068	358	36	11	18	28	6	57	6
WYOMING	7	133	104	24	7	2	4	1	0	6	1
YORK	34	2,254	1,678	179	21	2	9	14	9	28	6
TOTAL	1,446	69,151	49,553	8,776	894	215	426	626	177	1,024	422

Annual Trends

The Department issued licenses to 19 new homes in 2008. In the past decade, however, more homes have closed than opened. In 2008, about 124 personal care homes closed (some voluntarily and some due to the Department's enforcement actions), a decline consistent with a downward trend observed since December 1999. The following graphs show the number of licensed homes between 1999 and 2008, the percent increase/decrease between each year, and the capacity between 1999 and 2008.



*Excludes 20 homes operating pending appeal as of 1/1/09

Month/Year	Homes	Capacity	Percent Gain/Loss, Homes	Percent Gain/Loss, Capacity
12/99	1,803	73,075	NA	NA
12/00	1,830	76,779	1.50%	5.07%
12/01	1,786	79,929	-2.40%	4.10%
12/02	1,748	76,786	-2.13%	-3.93%
12/03	1,726	76,490	-1.26%	-0.39%
12/04	1,690	74,721	-2.09%	-2.31%
12/05	1,598	72,479	-5.44%	-3.00%
12/06	1,621	74,316	1.44%	2.53%
12/07	1,492	70,154	-7.96%	-5.60%
12/08	1,426	69,151	-4.42%	-2.46%

Homes close for a variety of reasons. The table below shows the reasons for voluntary closures as reported by the operators and the estimated percentage of homes that closed for that reason in 2008. The table also shows the percentage of homes closed as a result of enforcement action by the Department.

Reason for Closure	Percent
Closed as a result of DPW/ARL enforcement action	30%
Other (varied)	15%
Reduction to 3 or fewer residents	8%
Unable / unwilling to comply with regulations	7%
Declining health or retirement of owner	6%
No reason given by operator	34%
Total	100%

Resident Information

Just as personal care homes open and close throughout the year, the number of residents served in a PCH also changes. This change occurs because residents move into a home, stay for a certain time, and then leave the home. Data on persons who reside in personal care homes is not collected, but the Department collects a snapshot of the types of persons served during its annual inspections. The following information from December 2008 is representative of residents and their needs on any given day in calendar year 2008.

Residents in Pennsylvania Personal Care Homes

Total Capacity	69,151
Total Number of Persons Served	49,533
Occupancy Rate (Percentage of total capacity that is occupied)	71%
Vacancy Rate (Percentage of total capacity that is vacant)	29%

Snapshot of Residents by Income, Age and Need

Resident Description	Number	Percent of Total Served
Residents with low income who receive the Supplemental Security Income (SSI) PCH supplement	8,807	18%
Residents who pay privately or who are funded through a source other than SSI supplement	40,064	82%
Residents 60 Years of Age or Older	37,247	76%
Residents with Mental Illness	7,998	16%
Residents with a Mobility Need	7,050	14%
Residents with a Physical Disability	4,480	9%
Residents with a Dementia Related Illness	3,823	8%
Residents with a Developmental Disability	1,531	3%

Note: Percentages will not sum to 100% as many residents fall into more than one category

Inspections

There are three types of personal care home inspections completed by ARL: Full Inspections, during which all of the state licensing regulations are measured; Partial Inspections, during which a portion of the regulations are measured (completed in response to a complaint, a reported incident or an interim or monitoring inspection); and Initial Inspections, during which all of the regulations that can be measured are measured in a new home that does not yet serve four or more people. ARL completed 2,895 inspections in calendar year 2008.

Number of Inspections Completed

Type of Inspection	Number Completed
Full	1,540
Partial	1,292
Initial	63
All Inspections	2,895

All PCHs had at least one full inspection during 2008, more than 12 percent had more than one full inspection, and nearly half had at least one additional partial inspection.

Percentage of Personal Care Homes with One or Multiple Inspections

Number of Inspections	Percentage of Homes in Category
1 Inspection	50%
2-5 Inspections	45%
6-10 Inspections	4%
Over 10 Inspections	1%

Violations

While the numbers and types of regulatory violations found in PCHs in 2008 vary from home to home, the following are the 10 most commonly found regulatory violations and the percentage of inspections during which the violation was found.

Ten Most Frequently-Cited Violations

Violation – 55 Pa.Code § 2600	General Description of Violation	Percent of Inspections Where Regulation Was Cited as a Violation
141a	Incomplete resident annual medical evaluations	30%
187a	Administration of medication is not properly documented	25%
132d	Homes are unable to evacuate residents from the building quickly in event of fire or other emergency	20%
82c	Poisons are not kept locked or inaccessible	18%
225c	Residents did not receive new assessments annually or after a significant change in condition	13%
252	Resident records are incomplete	13%
227a	Resident support plans are not completed properly	13%
101j7	Resident bedrooms do not have safe nighttime lighting	13%
187d	The home did not follow the prescriber's instructions when administering medications to residents	12%
227c	Resident support plans are not revised after the resident's initial 30-day stay	12%

Number of Violations Found

Number of Violations Found During Each Full Inspection	Percent of Inspections in Category
0 Violations	2%
1-10 Violations	41%
11-30 Violations	46%
31 - 50 Violations	10%
51 - 100 Violations	2%
Over 100 Violations	Less than 1%

Total number of regulatory violations found (for all homes) = 28,991

Average number of violations found per home in full inspections = 16

Complaints

Adult Residential Licensing investigates all complaints of a potential regulatory violation in a personal care home. Complaints can be made by anyone at any time, including nights and weekends. Eighty-nine percent (89%) of the complaints received in 2008 required an on-site investigation.

Number of Complaints Received and Investigated

Number of Complaints Received	1,683
Number of Complaints Requiring On-site Investigation	1,503
Percent of Complaints Requiring On-site Investigation	89%
Percent of Complaints Where One or More Regulatory Violations Were Found	30%

Ten Most Frequently-Found Complaint Violations

Violation – 55 Pa.Code § 2600	General Description of Violation	Percent of Inspections Where Regulation Was Cited as a Violation
16c	The home did not report an unusual incident to the Department	12%
225c	Residents did not receive new assessments annually or after a significant change in condition	9%
187d	The home did not follow the prescriber's instructions when administering medications to residents	9%
227c	Resident support plans were not revised after the resident's initial 30-day stay	9%
42b	Residents were abused, neglected or mistreated	8%
15a	The home did not report abuse to local Area Agency on Aging as required by the Older Adults Protective Services Act	7%
187a	Administration of medication was not properly documented	7%
227d	Resident support plans did not accurately identify/address needs	5%
51/52	Staff persons were not hired or retained in accordance with the Older Adults Protective Services Act (usually in the form of failure to obtain criminal history background checks on staff persons)	5%
85a	There were unsanitary conditions, such as unclean floors and bathrooms.	4%

Incidents

Personal Care Homes are required to report certain incidents to ARL. ARL received about 19,000 incident reports in 2008; 5% of these incidents required further investigation. It is likely that some homes do not report all of the incidents that are required to be reported, and that some homes do not report any incidents even though they occur (violations for failure to report incidents are the most-frequently found violation during complaint investigations; see table above).

Types of Incidents Reported

Type of Incident	Percent of All Incidents Reported
Serious bodily injury or trauma requiring treatment at a hospital	42.3%
Prescription medication error	20.5%
Death of a resident	14.2%
Incident requiring the services of emergency management agency, fire department, or police	11.9%
Physical or sexual assault of a resident	4%
Complaint of abuse, suspected resident abuse, or referral of a complaint of abuse to a local authority	1.7%
Unexplained absence of a resident for 24 hours or more, or any absence of a resident from a secured dementia care unit	1.2%
Outbreak of a serious communicable disease	1.1%
Violation of a resident's rights	0.7%
Emergency such as natural disaster or utility outage	0.7%
Suicide attempt	0.4%
Misuse of a resident's funds by the home's staff or legal entity	0.3%
Utility termination notice or an actual service termination	0.3%
Fire or structural damage to home	0.2%
Food poisoning	0.02%
Violation of health and safety laws	0.02%
Unscheduled closure of the home or relocation of the residents	0.02%
A criminal conviction against the legal entity, administrator or staff	0.01%

Note: Percentages will not add to 100% due to rounding

Enforcement Actions

Inspections and inspection-related work are only a fraction of ARL's regular duties. A considerable portion of ARL's work in 2008 involved enforcement actions, which are taken in response to serious life safety conditions such as physical and sexual abuse of residents, criminal felony convictions, resident neglect/abandonment, deplorable unsanitary conditions, serious fire safety risks, falsification of documents, failure to seek necessary medical care, failure to provide staff supervision, lack of food/utilities and building code violations.

Summary of Enforcement Actions

Type of Enforcement Action	Central Region	Northeast Region	Southeast Region	Western Region	Statewide total
Emergency Relocations	2 ▶ Turner's PCH (Cumberland - DPW) ▶ Brunnet's PCH (Cambria - DPW)	0	1 ▶ Willowcrest (Montgomery - DPW)	0	3
License Revocations	2 ▶ Brunnet's PCH (Cambria) ▶ Devine Inn (Somerset)	0	2 ▶ Perkins PCH (Philadelphia) ▶ Morris-Pace PCH (Philadelphia)	0	4
Nonrenewals of License	12 ▶ Altman (Franklin) ▶ Turner's PCH (Cumberland) ▶ Ida PCH (York) ▶ Colonial Pines – Main (Dauphin) ▶ Colonial Pines – Annex (Dauphin) ▶ Yeager (Cumberland) ▶ Hillside (Adams) ▶ Specialty Life Care (Cambria) ▶ Rowser Foster Home (Bedford) ▶ Edmund PCH (York) ▶ Bentley (Dauphin) ▶ Renaissance (Centre)	1 ▶ Nanticoke Villa (Luzerne)	9 ▶ Adelpia (2 events) (Philadelphia) ▶ Willowcrest (2 events) (Montgomery) ▶ Plummer (Philadelphia) ▶ Stokes (Philadelphia) ▶ Park Avenue Front (Bucks) ▶ Park Avenue Rear (Bucks) ▶ Alterra Wynwood of Northampton (Bucks)	9 ▶ Pavlovic (Allegheny) ▶ Windsor Place (2 events) (Allegheny) ▶ Squirrel Hill (Allegheny) ▶ Pinelawn (Washington) ▶ Alice Davis (Allegheny) ▶ Nahar (Beaver) ▶ Eastern Orthodox (Indiana) ▶ Bentleyville (Washington)	31

Type of Enforcement Action	Central Region	Northeast Region	Southeast Region	Western Region	Statewide total
License Revocations/ Issuance of Provisional Licenses	8 ▶ Renaissance (Centre) ▶ Manatawney Manor (Chester) ▶ Knickerbocker Villa (Clearfield) ▶ Loyalton of Creekview (Cumberland) ▶ Victorian Villa (York) ▶ Loyalton of Harrisburg (Dauphin) ▶ Kinkora Pythian (Perry) ▶ Sunrise of Exton (Chester)	5 ▶ Sunrise of Allentown (Lehigh) ▶ Danken House (Berks) ▶ Laurels (Luzerne) ▶ Liza's House (Northampton) ▶ Ann Joachim (Northumberland)	2 ▶ Johnson PCH (Philadelphia) ▶ Cambridge Brightfield (Montgomery)	22 ▶ Juniper Village (Allegheny) ▶ Lincoln Square (Allegheny) ▶ Alice Davis (Allegheny) ▶ Henderson House (Allegheny) ▶ Rosewood (Westmoreland) ▶ Comfy Cozy (Fayette) ▶ Woodcliffe (Allegheny) ▶ Mahoning (Jefferson) ▶ Hilltop Manor (Westmoreland) ▶ Cambridge Brentwood (Allegheny) ▶ Mountain View (Fayette) ▶ Quiet Ridge (Allegheny) ▶ St. Nickols (Allegheny) ▶ Trosiek (Fayette) ▶ Laurelbrook (Jefferson) ▶ Ashby's West (Mercer) ▶ Juniper Village (Westmoreland) ▶ Russel House (Armstrong) ▶ Laurel Highlands (Westmoreland) ▶ Fair Oaks (Allegheny) ▶ Nor-Ridge (Westmoreland) ▶ Cherry Hill EOF (Indiana)	37
Provisional Licenses (due to enforcement; not new homes)	P1-14 P2-24 P3-16 Total = 54	P1-20 P2-10 P3-2 Total =32	P1-36 P2-32 P3-18 Total = 86	P1-32 P2-34 P3-9 Total = 75	P1-102 P2-100 P3-45 Total = 247

Type of Enforcement Action	Central Region	Northeast Region	Southeast Region	Western Region	Statewide total
Bans on Admissions	12 ► Altman (Franklin) ► Turner's PCH (Cumberland) ► Ida PCH (York) ► Colonial Pines – Main (Dauphin) ► Colonial Pines – Annex (Dauphin) ► Yeager (Cumberland) ► Hillside (Adams) ► Specialty Life Care (Cambria) ► Rowser Foster Home (Bedford) ► Edmund PCH (York) ► Bentley (Dauphin) ► Renaissance (Centre)	1 ► Nanticoke Villa (Luzerne)	9 ► Adelpia (2 events) (Philadelphia) ► Willowcrest (2 events) (Montgomery) ► Plummer (Philadelphia) ► Stokes (Philadelphia) ► Park Avenue Front (Bucks) ► Park Avenue Rear (Bucks) ► Alterra Wynwood of Notrhampton (Bucks)	9 ► Pavlovic (Allegheny) ► Windsor Place (2 events) (Allegheny) ► Squirrel Hill (Allegheny) ► Pinelawn (Washington) ► Alice Davis (Allegheny) ► Nahar (Beaver) ► Eastern Orthodox (Indiana) ► Bentleyville (Washington)	31
Denials of New Licenses	1 ► Rascoe Courts (Dauphin)	1 ► FC Harmony (Luzerne)	1 ► Stokes (Philadelphia)	4 ► Open Arms (2 events) (Fayette) ► Park Terrace (Allegheny) ► Covenant of South Hills (Beaver)	7
Illegal Operations	2 ► Wortel (Lancaster) ► Stone Creek (Huntingdon)	0	2 ► Karim and Ali (Philadelphia) ► Staneal (Philadelphia)	7 ► Cedarwood (Allegheny) ► Susan Connel (Greene) ► Molnar (Fayette) ► Open Arms (Fayette) ► Park Terrace (Allegheny) ► White's (Washington) ► Shoemaker (Butler)	11
Court Filings	0	0	1 ► Sakina Parks (Philadelphia)	0	1
Orders to Limit Access/Capacity	1 ► Karen Miler (Somerset)	1 ► Drake's (Potter)	4 ► Adelpia (Philadelphia) ► Southampton (Bucks) ► Diston (Philadelphia) ► Willowcrest (Montgomery)	3 ► Cherry Hill EOF (Indiana) ► Ashby's West (Mercer) ► Comfy Cozy (Fayette)	9
TOTAL ENFORCEMENT ACTIONS	94 (356 total homes in Region)	41 (274 total homes in Region)	117 (252 total homes in Region)	129 (564 total homes in Region)	381 (1,446 homes statewide)

**Enforcement Report History
April 2004 - December 2008**

TYPE OF ENFORCEMENT ACTION	April 2004- April 2005 Estimates only— data not available	April 2005- April 2006	May 2006 – December 2006	January 2007- December 2007	January 2008- December 2008
Emergency Relocations	4	16	2	14	3
License Revocations	17	12	6	6	4
Nonrenewals of License	0	15	14	29	31
Ban on Admissions	0	11	20	35	31
Denials of initial license	0	6	0	4	7
Illegal Operations	0	5	2	12	11
Court Filings	0	7	5	1	1
License Revocations/ Issuance of Provisional License	0	14	9	5	37
Orders to limit access	0	0	0	9	9
Provisional Licenses due to Enforcement (not new homes)	60	61	28	172	247
TOTAL ENFORCEMENT ACTIONS	81 (12 mos) 7/month average	147 (12 mos) 12/month average	86 (8 mos) 11/month average	287 (12 mos) 24/month average	381 (12 mos) 32/month average

GLOSSARY:

Revocation - Taking back a previously issued license before it expires – 62 P.S. §1026(b)

Nonrenewal - Refusal to renew a license upon its expiration – 62 P.S. §1026(b)

Provisional - A license issued to an operator based on substantial but not complete compliance – 62 P.S. § 1008 (serves as a warning of substantive regulatory violations)

Denial - Refusal to grant a license to a new applicant – 62 P.S. § 1007

Illegal Operation - Operating a personal care home without a license – 62 P.S. §§1002, 1031, 1052, 1053, 1057.2, 1086(e)

Emergency relocation - An action to close a premises issued by a local jurisdiction such as the police or local building codes official, or an Order issued by the Department of Public Welfare under 55 Pa.Code § 20.37

Court filing - Action taken pursuant to 62 P.S. §§ 1052, 1053, 1055, 1056, 1057

Orders to limit access - Prohibition of access for a specific person, due to abuse or other dangerous circumstances

Waivers

Waivers of regulations may be granted by the Department when all three of the following conditions are met:

- ▶ There is no jeopardy to the residents.
- ▶ An alternative for meeting the health and safety needs of the residents is provided.
- ▶ Residents benefit from the waiver.

Number of Waivers Requested by ARL Region

REGION	GRANT	DENY	WAIVER NOT NEEDED <i>(not a violation)</i>	TOTAL
Central	6	2	2	10
Northeast	15	3	1	19
Southeast	2	5	0	7
West	4	9	1	14
Not Given	5	1	0	6
Statewide	32	20	4	56

Top Four Regulations for which Waivers are Requested

REGULATION 55 Pa.Code § 2600.	TOTAL NUMBER OF WAIVER REQUESTS	GRANT	DENY	WAIVER NOT NEEDED	OUTCOME PENDING
54(a) Qualifications for direct care staff (Most due to non- U.S. high school diplomas)	41	27	2	3	9
101(e) Ceiling height (Lower than required 7 feet)	3	2	1	0	0
121(b) Egress doors locked under special circumstances	3	2	0	0	1
42(s) Privacy of self and possessions	3	0	3	0	0

Training and Technical Assistance

The Department is required by law to “encourage the adoption of higher standards and recommend methods of improving care and services.” The provision of technical assistance and consultation by ARL and other Department and local agency staff is essential for the personal care homes in Pennsylvania to provide healthy and safe care, as well as to improve the overall quality of care in PCHs for the next decade. It is estimated that ARL provided an average of two hours of technical assistance per licensed home in 2008.

In late 2008, ARL developed a new County Coordinator position within each of its four regional offices. The County Coordinator’s primary duty is to provide one-on-one technical assistance to homes having difficulty complying with the regulations that primarily serve a low-income population. As of this writing, the County Coordinator position has been implemented and active in two regional offices. Initial results are promising in that all of the homes that have received assistance showed a marked decrease in regulatory violations.

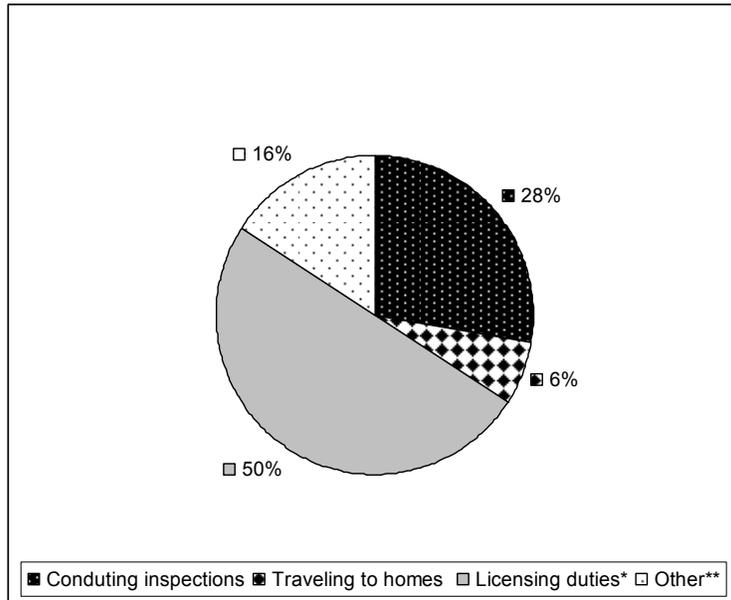
The Department funds many training courses for personal care home administrators and direct care staff; many training courses are available FREE of charge to the operators, particularly those homes that serve one or more persons who receive the SSI state PCH supplement. Free courses offered by the Department in 2008 include: medication administration, how to develop an effective plan to correct violations and how to write an effective assessment and support plan. Full scholarships for the required new administrator training course, are granted to personal care homes serving residents who receive SSI. A new direct care staff training course is now available on-line, at no cost to the providers.

ARL provides an average of 75 hours of training per year to each of the Department’s licensing inspectors. Training topics include inspection policies, PCH regulations, laws and regulations of other state agencies, investigation skills, financial administration, abuse prevention and investigation, fire safety, nutrition, program development, resident rights, elder care issues, mental health services, preventing the spread of communicable diseases, cultural awareness and medication practices. A new licensing inspector receives over 120 hours of training in his/her first 6 months of employment; training includes participation in the Department’s medication administration program and the new PCH administrator training courses, as well as a peer review in other regions.

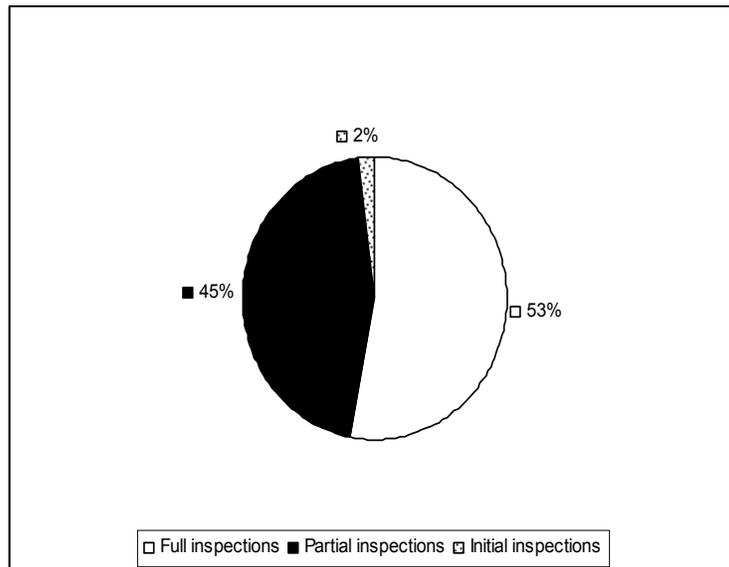
ARL Workload

In addition to a small component of management/ support staff, Adult Residential Licensing employs 41 licensing inspectors, who perform the inspection work described in this report. Workload varies by the amount of enforcement, travel time and the type of inspection required.

Region	Number of Inspectors	Number of Homes	Inspector to Home Workload Ratio
Southeast	5	252	1:50
Northeast	8	274	1:34
Central	11	356	1:32
West	17	564	1:33
Statewide	41	1446	1:35



*Licensing duties include preparing reports of violations, assisting homes to develop acceptable plans of correction for identified violations and verifying compliance. **Other duties include other enforcement actions such as relocations, court testimony, offsite investigations, training and providing technical assistance.



Goals for 2009

- Maintain up-to-date licenses. As of December 2008, the number of past-due licenses of all homes was under 6%. ARL will continue to complete up-to-date inspection of all homes in 2009. In all cases of past-due licenses in 2008, an inspection was completed, but the license was past-due because of the home's failure to submit a plan to correct violations or other required documents.
- Increase public awareness of and access to licensing information. ARL understands the value of information to consumers of human services. In 2008, the public has been able to access full inspection reports for all of the Commonwealth's personal care homes free of charge via the Internet. In 2009, ARL hopes to expand available information to include complaint investigations, licensing histories and possibly scores/ratings for each home.
- Increased technical assistance to homes. The provision of technical assistance is vital to improve the quality of care and to retain vital housing resources in Pennsylvania's personal care homes. ARL will increase the amount of technical assistance provided to personal care homes in 2009 through the expansion and enrichment of the County Coordinator position. Technical assistance will be focused primarily on homes serving residents who receive SSI.
- Continue enforcement actions against noncompliant homes. Regulatory compliance protects people by reducing life safety risks and preventing avoidable dangers. ARL will continue to ensure the safety of personal care home residents by taking appropriate enforcement actions against homes that do not comply with state licensing regulations.
- Implement an administrative fines system. Beginning in January 2009, ARL will implement a new administrative fine system that is required by law. ARL will levy mandatory penalties for repeated violations of state licensing regulations.
- Monitor statewide operations from a centralized location. Approximately 200 homes across Pennsylvania are owned or operated by the same 22 legal entities or corporations. ARL has identified that patterns of violations tend to appear in homes operated by these legal entities or corporations; as such, ARL will implement a pilot program in 2009 to license and inspect these homes from a central office in an effort to streamline communication with such legal entities/corporations and develop system-wide effective corrective action plans.

Report Prepared By:

Ron Melusky, Director, Cross-State Operations, Enforcement, and Information Systems
Karen E. Kroh, Director, Adult Residential Licensing

CONTACT for questions on this report:

Karen E. Kroh, Director, Adult Residential Licensing
Pennsylvania Department of Public Welfare
Room 423 Health and Welfare Building
Seventh and Forster Streets
Harrisburg, PA 17120; 717-783-3670