

TESTIMONY OF

RAY LANDIS  
ADVOCACY MANAGER  
AARP PENNSYLVANIA

REGARDING

PROPOSED ASSISTED LIVING REGULATIONS

BEFORE THE  
AGING AND ADULT SERVICES COMMITTEE  
PENNSYLVANIA HOUSE OF REPRESENTATIVES

HARRISBURG, PENNSYLVANIA

SEPTEMBER 18, 2008

Good morning Chairman Mundy, Chairman Hennessey and the other members of the House Aging and Adult Services Committee. My name is Ray Landis, and I serve as Advocacy Manager for AARP Pennsylvania. On behalf of our 1.9 million members across the Commonwealth, I appreciate the opportunity to be here today to speak about the proposed Assisted Living regulations recently published by the Department of Public Welfare.

AARP has submitted comments on the proposed regulations to the Office of Long-Term Living, copies of which I have brought along today and which are also available on the Independent Regulatory Review Commission's website. These comments were a collaborative effort between the AARP Pennsylvania office and AARP's experts on state long-term care issues who are involved in efforts to improve long-term care systems across the nation. I should note that AARP is one of the founding members of the Center for Excellence in Assisted Living (CEAL), a collaborative made up of eleven national organizations dedicated to promoting high-quality assisted living through bringing together research, practices, and policy that foster quality and affordability in assisted living.

This comment from our representative on the CEAL, Donald Redfoot, sums up AARP Pennsylvania's overall feeling toward Pennsylvania's proposed assisted living regulations – *“(These regulations) are excellent in almost every section. These regs obviously represent an enormous amount of work. The taskforce that helped negotiate them are to be congratulated”*.

By no means does this statement indicate that AARP feels these proposed regulations are perfect. You will note that in our comments we do suggest a number of changes that we hope the Department of Public Welfare and the Office of Long-Term Living will consider as they put together final form regulations. We have particular concerns about the ability of assisted living residents to choose their own health care providers and pharmacy services. But we do believe the proposed regulations are an important step forward in Pennsylvania's efforts to balance its long-term living system and allow consumers to have more of an ability to age in place.

Assisted living fits nicely into a system of long-term care in Pennsylvania that includes home care, personal care homes, assisted living residences, and nursing home care. AARP feels there is a role for all these forms of long-term care, including personal care homes. It is important to note we do not believe that the establishment of assisted living and publication of assisted living regulations should be viewed as carte blanche for all personal care homes to become assisted living residences. Some consumers will choose a personal care home because it is less expensive and they do not desire the services provided in assisted living. We believe the new law and the proposed regulations make assisted living a true alternative for the provision of long-term care services instead of a marketing phrase.

Balance is a key word in the discussion of assisted living and these proposed regulations. In addition to advancing the effort to balance our long-term care system, the proposed

regulations are an attempt to balance the needs and rights of residents with the ability of providers to offer assisted living services. My guess is that we will hear quite a bit of testimony today stating that balance is tilted one way or the other. AARP's feeling is that these proposed regulations represent a good effort toward achieving that balance.

Certainly we believe that some aspects of the proposed regulations could be improved without upsetting that balance. But our overriding goal, after over a decade of debating this issue, is to finally see assisted living defined and regulated by Pennsylvania. AARP believes these proposed regulations offer an excellent way forward.

Pennsylvania has taken a huge step forward in expanding affordable assisted living options through the enactment of our new assisted living law and the careful drafting of these proposed regulations. We look forward to the continuation of the regulatory process and the eventual final approval of regulations so the era of the provision of assisted living services in Pennsylvania can begin.