



September 13, 2024

Chairperson George D. Bedwick  
Vice Chairperson John F. Mizner, Esq.  
Commissioner John J. Soroko, Esq.  
Commissioner Murray Ufberg, Esq.  
Commissioner Dennis A. Watson, Esq.  
Pennsylvania Independent Regulatory Review Commission  
333 Market Street, 14th Floor  
Harrisburg, PA 17101

Via email to the [IRRC](#)

**Re: Rulemaking #14-548: Psychiatric Rehabilitation Services IRRC #3347**

Dear Members of the Independent Regulatory Review Commission:

The Rehabilitation and Community Providers Association (RCPA) is submitting the following comments on behalf of its membership, related to *Rulemaking #14-548: Psychiatric Rehabilitation Services IRRC #3347*. While RCPA fully supports the Final Form regulations pertaining to Psychiatric Rehabilitation Services (Chapter 5230) from the Office of Mental Health and Substance Abuse Services (OMHSAS), we wanted to clarify our positions with the following comments.

**1. That, if promulgated, the implementation of these standards by the Heath Choices Primary Contractors and Behavioral Health Managed Care Organizations (BH-MCOs) are directed by OMHSAS in a manner that promotes consistency in its interpretation, and application through one operational practice.** All too often, the final regulations are operationalized differently by each Primary Contractor (County) and BH-MCO, leading to inconsistent, uneven, and in some cases inequitable service functioning across the BH-MCO organizations. This consistency aids in implementation, tracking, and supports service delivery agencies who operate these services across multiple regions of the commonwealth.

**2. (5230.21) Minors consent**

RCPA supports a minor's ability to consent for services with or without parental consent, as it is consistent with current PA Act 65. The Act ensures minors, under the statute, be allowed to make this decision without parental consent, and consistent with the Act that parental consent does not supersede the minor's consent should the minor choose not to engage in the service.

**3. 5230.31(a)(2) Regarding the expansion of diagnostic criteria to include ASD and ADHD**

RCPA supports the expansion of the diagnostic criteria as it supports the ongoing efforts to create a full continuum of care. The State has expanded its scope of cross systems reengineering and identification of needs and services for this complex population, and this supports those ongoing efforts.

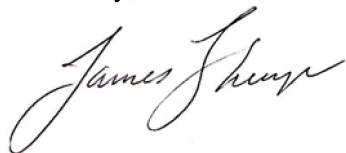
**5. 5230.56(2) Staff training requirements**

RCPA recommends a 6-month post promulgation time period to complete all required staff trainings.

Additionally, OMHSAS and OCYF have done a very good job in creating free training opportunities for these types of trainings, and we hope there is a continued partnership to assist in making these resources available.

In closing, RCPA thanks the Independent Regulatory Review Commission and DHS/OMHSAS for this opportunity to respond, as we offer our full support in the promulgation and thoughtful implementation of *Rulemaking #14-548: Psychiatric Rehabilitation Services IRRC #3347*.

Sincerely,

A handwritten signature in cursive script that reads "James Sharp".

[James Sharp](#)

COO & Director, Mental Health Services, BH Division  
RCPA