



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
PO BOX 2675
HARRISBURG, PENNSYLVANIA 17105-2675

ADULT RESIDENTIAL LICENSING

PHONE: (717) 783-3670
FAX: (717) 783-5662

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED
MAILING DATE:**

Ms. Kathleen Dougherty, Administrator
320 South Washington Street
P.O. Box 1935
Butler, Pennsylvania 16003

NOV 02 2010

RE: Washington Manor Personal Care Home

Dear Ms. Dougherty:

Thank you for your request for a waiver of 55 Pa.Code Ch. 2600 (relating to Personal Care Homes). You have requested a waiver of 55 Pa.Code § 2600.51 (relating to criminal history checks) for [REDACTED]

The Department of Public Welfare (Department) is denying a waiver of § 2600.51 in accordance with § 2600.19(a)(2) (relating to waivers), since the Department cannot waive the Older Adults Protective Services Act (OAPSA) or the Department of Aging's regulations. The OAPSA is a policy of the Commonwealth of Pennsylvania that older adults who lack the capacity to protect themselves and are at imminent risk of abuse, neglect, exploitation or abandonment shall have access to and be provided with services necessary to protect their health, safety and welfare. This is a Commonwealth policy that is not subject to waivers or special exceptions.

If you disagree with the Department's decision to deny the waiver, you have the right to appeal through hearing before the Bureau of Hearings and Appeals, Department of Public Welfare in accordance with 1 Pa.Code Part II, Chs. 31-35. If you decide to appeal, a written request for an appeal must be received within 10 days of the date of this letter by:

Karen E. Kroh
Adult Residential Licensing
Department of Public Welfare
Room 423, Health and Welfare Building
Seventh and Forster Streets
Harrisburg, Pennsylvania 17120

This decision is final 11 days from the date of this letter, or if you decide to appeal, upon issuance of a decision by the Bureau of Hearings and Appeals.

Sincerely,

A handwritten signature in black ink, appearing to read "K T Casey", with a long horizontal flourish extending to the right.

Kevin T. Casey
Deputy Secretary