



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

JAN 18 2012

Mr. Thomas H. Luffey, Administrator
Rivercliff Terrace, Inc.
120 Allegheny Avenue
Kittanning, Pennsylvania 16201

RE: Rivercliff Terrace
120 Allegheny Avenue
Kittanning, Pennsylvania 16201

Rivercliff Terrace Annex
322 North McKean Street
Kittanning, Pennsylvania 16201

Dear Mr. Luffey:

This is to acknowledge receipt of your request to appeal the Department's decision to deny a waiver for Rivercliff Terrace and Rivercliff Terrace Annex. Your request has been forwarded to the Department of Public Welfare, Bureau of Hearings and Appeals. You will be contacted regarding the date and time of the hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Melusky", with a long, sweeping underline that extends to the right.

Ronald Melusky
Director

cc: Eugene Cuccarese, Attorney, Office of General Counsel

RIVERCLIFF TERRACE, INC.

120 Allegheny Avenue

Kittanning, PA 16201

724-548-7409

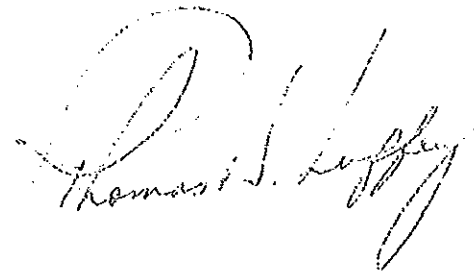
Office 724-545-9731

Administrators - Thomas H. & Margaret I. Luffey

Home Phone 724-545-2000

Date: January 13, 2012

From: Thomas H. Luffey, Administrator



To: Ronald Melusky, Director
Adult Residential Licensing
Department of Public Welfare
631 Health & Welfare Building
625 Forster Street
Harrisburg, PA 17210

RECEIVED

JAN 13 2012

Subject: APPEAL HEARING REQUEST *Adult Residential Licensing*

Rivercliff Terrace, Inc. disagrees and wants to exercise its right to appeal the Denial of Waiver Request before the Bureau of Hearings and Appeals, Department of Public Welfare in accordance with 1 Pa.Code Part II, Chs. 31-35.

It is a shame; we at Rivercliff have to spend the time and money to alert our State our Residents' rights are violated by not being able to have an emergency call system they want and that has been in operation since 1965. There were no "grandfather" attachments made to the denial or conditions of operation similar to the Video Recording. Hopefully, someone at the State level will understand Residents have rights and State Bureaucracy should think clearly when making decisions in developing and enforcing new regulations.

Please be advised that we will not be available to attend any waiver appeal hearing between February 19 and 26, 2012.

Should you need additional information, please advise.

Western Region
JAN 13 2012
Adult Residential Licensing



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

Mr. Craig T. Luffey, Administrator
Rivercliff Terrace, Inc.
120 Allegheny Avenue
Kittanning, Pennsylvania 16201

JAN – 6 2012

RE: Rivercliff Terrace Annex
322 North McKean Street
Kittanning, Pennsylvania 16201

Dear Mr. Luffey:

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 § 2600.42(s) (relating to specific rights).

The Department of Public Welfare (Department) is denying a waiver of § 2600.42(s) in accordance with § 2600.19(a)(2) (relating to waivers). In accordance with § 2600.19(b), residents rights may not be waived.

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:

Ronald Melusky, Director
Adult Residential Licensing
Department of Public Welfare
631 Health and Welfare Building
625 Forster Street
Harrisburg, Pennsylvania 17120

Mr. Luffey

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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,



Ronald Melusky
Director

Enclosure(s)



COMMONWEALTH OF PENNSYLVANIA
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HARRISBURG, PENNSYLVANIA 17105-2675

ADULT RESIDENTIAL LICENSING

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Mr. Thomas H. Luffey, Administrator
Rivercliff Terrace, Inc.
120 Allegheny Avenue
Kittanning, Pennsylvania 16201

DEC 30 2011

RE: Rivercliff Terrace
120 Allegheny Avenue
Kittanning, Pennsylvania 16201

Rivercliff Terrace Annex
322 North McKean Street
Kittanning, Pennsylvania 16201

Dear Mr. Luffey:

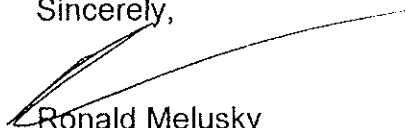
Thank you for your request for a waiver of 55 Pa.Code Ch. 2600 (relating to personal care homes). You have requested a waiver of 55 Pa.Code § 2600.42(s) (relating to specific rights) for the personal care homes listed above.

A waiver of § 2600.42(s) is not required. Video recording of the home's entrances and exits and the interior areas leading to entrances and exits is permitted, provided that residents are informed at admission that these areas are subject to video recording, and signs indicating that images are being recorded are posted in the areas that are being recorded.

Accordingly, the violation which the home received on October 28, 2011 will be struck from the home's violation report.

If you have any questions regarding the waiver process, you may contact Ms. Anne Marie Muller, Provider Support Specialist, at telephone number 1-866-503-3926.

Sincerely,


Ronald Melusky
Director