



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
MAILING DATE:**

JAN 20 2012

Ms. Sherry Sturkey, Administrator
Legacy Gardens of Bristol
2022 Bath Road
Bristol, Pennsylvania 19007

Dear Ms. Sturkey:

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 § 2600.54(a)(2) (relating to qualifications for direct care staff persons) for [REDACTED]

The Department of Public Welfare (Department) is denying a waiver of § 2600.54(a)(2) in accordance with § 2600.19(a)(2) (relating to waivers), since [REDACTED] does not have a high school diploma, GED or active registry status on the Pennsylvania nurse aide registry.

The purpose of § 2600.54(a) is to assure qualified staff provide services to personal care residents. The direct care staff members of the personal care home must be able to understand and meet the personal care home licensing regulations. Other possible alternatives for [REDACTED] to work in the home where she is not providing direct care staff services include completing job duties such as laundry, cooking, landscaping, maintenance, etc.

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:

Ms. Sturkey

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Ronald Melusky, Director
Adult Residential Licensing
Department of Public Welfare
Health and Welfare Building, Room 631
625 Forster Street
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 cursive script that reads "Ronald Melusky" followed by a small flourish or mark.

Ronald Melusky
Director

Enclosures