



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

ADULT RESIDENTIAL LICENSING

APR 30 2012

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

Ms. Jean LaFuria, Administrator
Ball Pavillion, Inc.
Barnabas Court at Brevillier Village
5416 East Lake Road
Erie, Pennsylvania 16511

RE: Barnabas Court at Brevillier Village
5456 East Lake Road
Erie, Pennsylvania 16511

Dear Ms. LaFuria:

This letter hereby rescinds the waiver issued by the Department on July 2, 2010. After re-examination, the Department has determined that a waiver of 55 Pa.Code Chapter 2600.121(b) (relating to unobstructed egress) is not needed. According to 55 Pa.Code § 2600.121(b), doors used for egress routes from rooms and from the building may not be equipped with key-locking devices, electronic card operated systems or other devices which prevent immediate egress of residents from the building, unless the home has written approval or a variance from the Department of Labor and Industry, the Department of Health or the appropriate local building authority.

According to the Department's Regulatory Compliance Guide, A delayed locking device is one that opens after a time-delay of any length. The most common devices of this type are those that require pressure on a "panic bar" for 15-20 seconds. Use of these doors is permitted if:

1. There is written approval from the Department of Labor and Industry, Department of Health or appropriate local building authority permitting the use of the system (to ensure compliance with § 2600.18 and § 2600.121(b)).
2. There is a statement specific to the home from the manufacturer, lock service company or an architect who has inspected the lock verifying that the electronic or magnetic locking system will shut down and that all doors will open easily and immediately when there is a signal from an activated fire

alarm system, heat or smoke detector, and/or power failure to the home (to ensure compliance with § 2600.132(d).

3. The doors are not used in a home or portion of a home that provides specialized care and services for residents with Alzheimer's disease or other dementia that is not licensed as a secured dementia care unit.

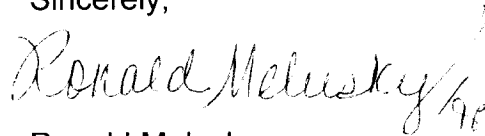
The home has submitted the following documentation to the Department:

1. Written approval from the Department of Labor and Industry of a variance from Section 50.24(d)(1) of the Fire and Panic Regulations to permit the use of magnetic locks on the exit doors. The variance is granted provided the magnetic lock system shall automatically release the exit doors when the power in the facility is off; the automatic fire alarm system or sprinkler system is activated; and the electro-magnetic locks shall be key-controlled by supervised personnel.
2. A letter from LEVCO Communications stating that the fire alarm will override the door magnet and allow evacuation. The letter states that the system will release the doors in case of any power failures and should meet any fire alarm code requirements.
3. Barnabas Court at Brevillier Village is not a licensed secure dementia care unit.

Therefore, the Department of Public Welfare has determined that a waiver of § 2600.121(b) is not needed. However, the home is reminded that it is expected to maintain compliance with 55 Pa.Code § 2600.

If you have any questions regarding the waiver process, please contact Ms. Tara Pride, Policy Director, at telephone number (717) 783-3670.

Sincerely,

A handwritten signature in cursive script that reads "Ronald Melusky". The signature is written in dark ink and includes a small mark at the end that looks like a stylized "40" or a similar flourish.

Ronald Melusky
Director