

CERTIFIED MAIL – RETURN RECEIPT REQUESTED
MAILING DATE:

MAR 05 2013

Reverend Imre Bertalan, Executive Director
Bethlen Home of the Hungarian Reformed Federation of America
125 Kalassay Drive
Ligonier, Pennsylvania 15658

RE: Ligonier Gardens
2018 U.S. Route 30 East
Ligonier, Pennsylvania 15658

Dear Reverend Bertalan:

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 § 2600.53(a) (relating to qualifications and responsibilities of administrators) for [REDACTED]

The Department of Public Welfare (Department) is denying a waiver of § 2600.53(a) in accordance with § 2600.19(a)(2) and § 2600.19(a)(3) since there is no alternative for providing an equivalent level of health, safety and well-being protection of the residents and residents will not benefit from the waiver of the requirement. The purpose of § 2600.53(a) is to assure qualified staff provide services to personal care home residents. The administrator of the personal care home must be able to understand and meet the personal care home licensing regulations.

The Department is also denying a waiver of § 2600.53(a), due to your failure to comply with § 2600.19(c) and § 2600.19(d), as you have not provided a copy of the completed written waiver request to the affected residents and designated persons to provide the opportunity to submit comments to the Department at least 30 days prior to the submission of the completed waiver to the Department. The home also did not offer to discuss the waiver request with the residents and designated persons.

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
Department of Public Welfare
Bureau of Human Services Licensing
Room 631, Health and Welfare Building
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 black ink, appearing to read 'RM', with a long horizontal flourish extending to the right.

Ronald Melusky
Director