



CERTIFIED MAIL – RETURN RECEIPT REQUESTED
MAILING DATE:

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

MAY 14 2014

Dear Ms. LaFuria:

Thank you for your request for a waiver of 55 Pa.Code Ch. 2600 (relating to personal care homes). You have requested waivers of 55 Pa.Code § 2600.42(m) (relating to specific rights), 55 Pa.Code § 2600.121(a)-(b) (relating to unobstructed egress), and 55 Pa.Code § 2600.231(a) (relating to admission) for the personal care home listed above.

The Department of Public Welfare (Department) is DENYING waivers of 55 Pa.Code § 2600.42(m) (relating to specific rights), 55 Pa.Code § 2600.121(a)-(b) (relating to unobstructed egress), and 55 Pa.Code § 2600.231(a) (relating to admission) in accordance with 55 Pa.Code § 2600.19(a)(2) and § 2600.19(b) (relating to waivers), as there is no alternative for providing an equivalent level of health, safety and well-being protection of the residents, as well as residents' rights under this chapter may not be waived. If an egress-route door is locked with a device that prevents immediate egress, residents may be unable to escape in the event of a fire or other emergency.

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:

Jacob Herzing, Enforcement Manager
Bureau of Human Services Licensing
Department of Public Welfare
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.

Ms. Jean LaFuria

2

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Jones', with a long horizontal flourish extending to the right.

Matthew Jones
Director

Enclosure