



pennsylvania
DEPARTMENT OF PUBLIC WELFARE

MAY 29 2014

Ms. Jean LaFuria, Administrator
Ball Pavilion, Inc.
5416 East Lake Road
Erie, Pennsylvania 16511

RE: Barnabas Court at Brevillier Village

Dear Ms. LaFuria:

This is to acknowledge receipt of your request to appeal the Department's decision to deny a waiver for Barnabas Court at Brevillier Village. 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 "Matthew J. Jones", with a long horizontal flourish extending to the right.

Matthew J. Jones
Director

cc: Gene Cuccarese, Office of General Counsel



Housing and Health Care Community

May 20, 2014

Matthew Jones, Director
Adult Residential Licensing Office
Bureau of Human Services Licensing
625 Forster Street, Room 631
Harrisburg, PA 17120

RECEIVED

MAY 26 2014

Human Services Licensing

Dear Matthew,

I found out through Maria Stepanovich of the Western region office that our waiver request has been denied. We want you to be aware that Barnabas Court will be appealing this decision. We have worked with [REDACTED] our surveyor, and first with Shelia Page and now with Maria Stepanovich to come up with some solutions to this issue. I have spoken with Tara Pride on the phone, and we are still no closer to a resolution of our issue. We continue to receive citations while we actively try to resolve things to everyone's satisfaction, which has been disheartening. We are now requesting a meeting with either or both you and Tara to discuss our personal care setting, the residents we serve and why, and the options we have.

I understand that the survey teams as well as the staff of your offices will be at training all next week. During that time, we will continue to research options, but we feel that we need to discuss this face to face and hope to meet with you upon your return to the office. Could you please let me know when we may be able to meet with one of you to further discuss this important issue and our options?

Thank you for your assistance in this matter.

Sincerely,

Jean LaFuria
Administrator of Barnabas Court
Vice President of Residential Services
Brevillier Village.

(814) 899-8600





pennsylvania

DEPARTMENT OF PUBLIC WELFARE

**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

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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