

**CHAPTER 2620. [Reserved]****§§ 2620.1 and 2620.2. [Reserved].****Source**

The provisions of these §§ 2620.1 and 2620.2 adopted August 28, 1981, effective August 29, 1981, 11 Pa.B. 2997; amended September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363; reserved April 22, 2005, effective October 24, 2005, 35 Pa.B. 2499. Immediately preceding text appears at serial page (242445).

**§ 2620.3. [Reserved].****Source**

The provisions of this § 2620.3 adopted August 28, 1981, effective August 29, 1981, 11 Pa.B. 2997; corrected December 18, 1987, effective July 27, 1985, 17 Pa.B. 5255; amended September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363; reserved April 22, 2005, effective October 24, 2005, 35 Pa.B. 2499. Immediately preceding text appears at serial pages (242445) to (242449).

**§ 2620.4. [Reserved].****Source**

The provisions of this § 2620.4 adopted August 28, 1981, effective August 29, 1981, 11 Pa.B. 2997; reserved September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363. Immediately preceding text appears at serial page (128296).

**§ 2620.5. [Reserved].****Source**

The provisions of this § 2620.5 adopted September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363; reserved April 22, 2005, effective October 24, 2005, 35 Pa.B. 2499. Immediately preceding text appears at serial page (242449).

**§§ 2620.11—2620.14. [Reserved].****Source**

The provisions of these §§ 2620.11—2620.14 adopted August 28, 1981, effective August 29, 1981, 11 Pa.B. 2997; amended September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363; reserved April 22, 2005, effective October 24, 2005 35 Pa.B. 2499. Immediately preceding text appears at serial pages (242449) to (242450) and (257369).

**§ 2620.15. [Reserved].****Source**

The provisions of this § 2620.15 adopted August 28, 1981, effective August 29, 1981, 11 Pa.B. 2997; reserved September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363. Immediately preceding text appears at serial page (97920).

**§§ 2620.21 and 2620.22. [Reserved].****Source**

The provisions of these §§ 2620.21 and 2620.22 adopted August 28, 1981, effective August 29, 1981, 11 Pa.B. 2997; amended September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363; amended April 22, 2005, effective October 24, 2005, 35 Pa.B. 2499. Immediately preceding text appears at serial pages (257369) to (257371).

**Notes of Decisions***Evidence of Mobility* (§ 2620.21)

An inspector's testimony that a personal care boarding home client had inappropriately responded when asked to show the inspector the door was not substantial evidence of whether or not the client was independently mobile. *Arcurio v. Department of Public Welfare*, 557 A.2d 1171 (Pa. Cmwlth. 1989).

*Medical Evaluation* (§ 2620.21)

The Department presented substantial evidence to show a person staying at a personal home care facility was a resident and therefore a physician certificate was required certifying that appropriate care was being given. *Clites v. Department of Public Welfare*, 548 A.2d 1345 (Pa. Cmwlth. 1988).

*Mobility Assessment* (§ 2620.21)

Reliance on a doctor's certificate by the operators of a personal care boarding home was reasonable in light of the fact that the client has not exhibited signs of needing assistance in walking and had not had a seizure while in the home. *Arcurio v. Department of Public Welfare*, 557 A.2d 1171 (Pa. Cmwlth. 1989).

*Nonrenewal of License* (2620.22)

Nonrenewal of a personal home care provider's license for failure to maintain resident records for a minimum of 3 years after the resident has left the home, under Department regulations, was supported by substantial evidence. *Clites v. Department of Public Welfare*, 548 A.2d 1345 (Pa. Cmwlth. 1988).

**§§ 2620.23 and 2620.24. [Reserved].****Source**

The provisions of these §§ 2620.23 and 2620.24 adopted September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363; amended April 22, 2005, effective October 24, 2005, 35 Pa.B. 2499. Immediately preceding text appears at serial pages (257371) to (257372).

**§ 2620.24a. [Reserved].****Source**

The provisions of this § 2620.24a adopted August 20, 1993, effective upon publication and applies retroactively to July 1, 1993, 23 Pa.B. 3944; amended April 22, 2005, effective October 24, 2005, 35 Pa.B. 2499. Immediately preceding text appears at serial pages (257372) and (242455).

**§§ 2620.25—2620.28. [Reserved].****Source**

The provisions of these §§ 2620.25—2620.28 adopted September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363; amended April 22, 2005, effective October 24, 2005, 35 Pa.B. 2499. Immediately preceding text appears at serial page (242455) to (242457).

**§§ 2620.31—2620.40. [Reserved].****Source**

The provisions of these §§ 2620.31—2620.40 adopted August 28, 1981, effective August 29, 1981, 11 Pa.B. 2997; amended September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363; reserved April 22, 2005, effective October 24, 2005, 35 Pa.B. 2499. Immediately preceding text appears at serial pages (242457) to (242458) and (257373) to (357378).

**Notes of Decisions***Financial Management* (§ 2620.33)

A personal home care provider, who assists a resident with financial management, must maintain a separate record of financial transactions and to document deposits and expenditures with written receipts, and failure to do so warrants nonrenewal of a license. *Clites v. Department of Public Welfare*, 548 A.2d 1345 (Pa. Cmwlth. 1988).

*Diagnosis* (§ 2620.38)

This section specifically requires a physician to diagnose the condition of a resident before the provider is required to secure necessary assistance or care. *Hays v. Beverly Enterprises, Inc.*, 766 F.Supp. 350 (1991); affirmed 952 F.2d 1392 (3rd. Cir. (Pa.) 1991).

*Mobility* (§ 2620.38)

An inspector's testimony that a personal care boarding home client had inappropriately responded when asked to show the inspector the door was not substantial evidence of whether or not the client was independently mobile. *Arcurio v. Department of Public Welfare*, 557 A.2d 1171 (Pa. Cmwlth. 1989).

**§ 2620.41. [Reserved].****Source**

The provisions of this § 2620.41 adopted August 28, 1981, effective August 29, 1981, 11 Pa.B. 2997; reserved September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363. Immediately preceding text appears at serial pages (141274) to (141275).

**§ 2620.42. [Reserved].****Source**

The provisions of this § 2620.42 adopted August 28, 1981, effective August 29, 1981, 11 Pa.B. 2997; reserved September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363. Immediately preceding text appears at serial page (141275).

**§§ 2620.51—2620.55. [Reserved].****Source**

The provisions of these §§ 2620.51—2620.55 adopted September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363; reserved April 22, 2005, effective October 24, 2005, 35 Pa.B. 2499. Immediately preceding text appears at serial pages (242465) to (242469).

**§§ 2620.61—2620.67. [Reserved].****Source**

The provisions of these §§ 2620.61—2620.67 adopted September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363; reserved April 22, 2005, effective October 24, 2005, 35 Pa.B. 2499. Immediately preceding text appears at serial pages (242470) to (242474).

**§§ 2620.71—2620.74. [Reserved].****Source**

The provisions of these §§ 2620.71—2620.74 adopted September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363; amended April 22, 2005, effective November 24, 2005, 35 Pa.B. 2499. Immediately preceding text appears at serial pages (242474) to (242478).

**§§ 2620.81—2620.83. [Reserved].****Source**

The provisions of these §§ 2620.81—2620.83 adopted September 20, 1991, effective October 21, 1991, 21 Pa.B. 4363; reserved April 22, 2005, effective October 24, 2005, 35 Pa.B. 2499. Immediately preceding text appears at serial pages (242478) to (242481).

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