

January 30, 2013

Tom Murray, Deputy Director  
DHSS/DLTCRP  
3 Mill Road, Suite 308  
Wilmington, DE 19806

**RE: DLTCRP Proposed Long Term Care (LTC) Transfer, Discharge and Readmission Regulation [16 DE Reg. 710 (1/1/13)]**

Dear Mr. Murray:

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed the Division of Long Term Care Residents Protection (DLTCRP) proposal to adopt some discrete revisions to its standards covering transfers and discharges from long-term care facilities. The GACEC strongly **endorses** the proposed revisions and would like to share the following observations.

First, in §2.0, there is a nonthreatening revision to the definition of "transfer and discharge".

Second, §§3.5 and 4.5 now require facilities to provide more specific information to residents about the process and timetable to request a hearing. Sections 3.5 and 4.5 also explicitly require submission of hearing requests to the Division.

Third, §3.5.4.5 clarifies that the State hearing system does not replace the ability to resort to other grievance and review systems. See attached Quality Insights Delaware materials.

Fourth, §5.2 provides important protections to maintain residency during the pendency of proceedings. Council however, would like to recommend two minor edits.

A. Revise the first sentence as follows: "No facility...has been provided or the request has been denied or dismissed pursuant to 5.3.

B. In the second sentence, capitalize "Ch. 11".

Thank you for your time and consideration of our comments and recommendations. Please feel free to contact me or Wendy Strauss should you have any questions.

Sincerely,

Dafne A. Carnright  
Vice Chairperson

DAC:kpc

CC: The Honorable Rita Landgraf, DHSS  
Deborah Gottschalk, DHSS

Enclosures