

LICENSING ALERT

November 29, 1994

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Deputy Secretary for Quality
Assurance and Health Planning

DIVISION OF DRUG AND ALCOHOL PROGRAM LICENSING

LICENSING ALERT 1-94

Licensed Capacity

Licensed capacity is defined as the maximum number of individuals who may be served at a facility at any one time. The licensed capacity appears on the certificate issued to each facility.

The licensed capacity of a currently licensed facility will be revised, if necessary (a) when the facility's next renewal certificate is issued; or (b) if the facility requests that its capacity be adjusted prior to their current certificate expiration. Licensees shall notify the Department of the occurrence of a change in authorized maximum capacity within 90 days. (28 PA Code 709.14(b))

In residential/inpatient facilities, licensed capacity will be determined by the number of beds set up and available for the specific service provided. (Emergency beds will be considered as part of the capacity count.) In no case will a capacity greater than that permitted by Fire Safety Codes be approved. For example, if a facility has 10 beds set up but has a C-3 Certificate of Occupancy from the Department of Labor & Industry which limits occupancy to 8 residents, the licensed capacity will be 8.

In non-residential facilities, licensed capacity will be determined by the greatest number of clients that can be treated by the facility staff at any one time. Capacity should, therefore, reflect the number of clients that can be served if all counseling positions were filled and counselors were at their maximum caseload. For example, if each full time counselor can serve 35 different clients in a caseload and the facility employs 5 counselors, the capacity is 175 (5 X 35).

Licensed capacity does not mean that the facility currently meets all requirements necessary for that number of clients. Compliance, as with all other licensing regulations, is determined by on-site observation, record review, and interviews. Licensed capacity

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means that the facility may only serve up to the number of clients approved by the Division. The actual number of clients served depends on the facility meeting other regulations, i.e., safety, privacy.

NOTE: If a facility serves a mixed population of drug and alcohol and non-drug and alcohol clients, i.e., mental health, adult children of alcoholics, eating disorders, the total of all clients must be included in the capacity figure if this population could at any time be 100% drug and alcohol.

If you have any questions, please contact Karen Conjar at (717) 783-8675.