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**Welcome to the**

**ALF Provider**

**Webinar with LTCR**

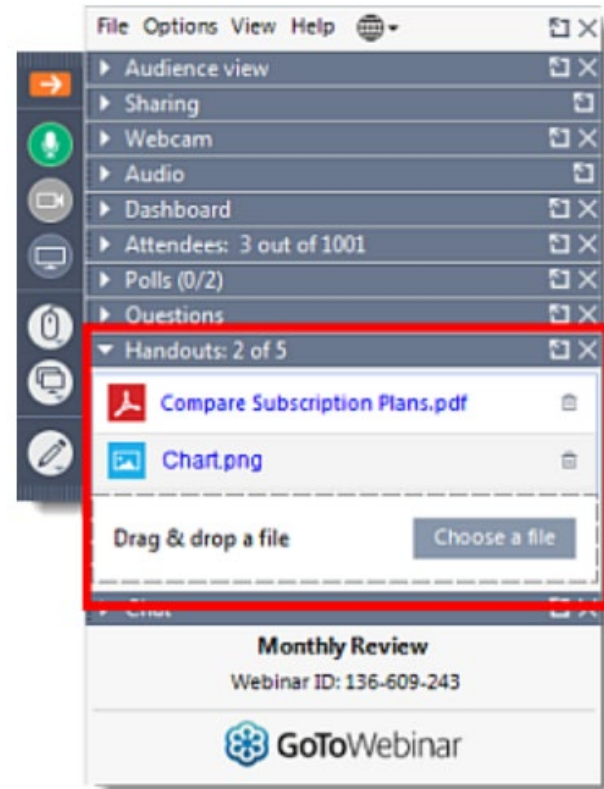
**April 17, 2024**



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# Handout

A pdf version of this presentation is available in the **Handout** section of your control panel. Save the file to your computer to view or print later.





# ALF Resources

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## [ALF Provider Portal](#)

Find answers to most common questions

Resources and tools for ALFs:

- [Frequently Asked Questions for ALF Providers](#)
- [Provider Communications](#) – Alerts and PLs



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# DSHS – COVID Reporting

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Updated guidance from DSHS – Dr. Dave Gruber

[Texas Notifiable Conditions – 2024](#)

## **Coronavirus, novel – Report Immediately**

- Novel coronavirus causing severe acute respiratory disease includes Middle East Respiratory Syndrome (MERS) and Severe Acute Respiratory Syndrome (SARS). Call immediately for SARS, MERS, or any other novel coronavirus cases.

**NOTE** - Coronavirus Disease 2019 (COVID-19) is no longer considered a novel coronavirus and as of March 1, 2024 is no longer a notifiable disease condition in Texas.



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# SSA – Scam Alert

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Social Security Administration  
Office of Inspector General

## Scam Alert

SSA OIG is receiving reports that criminals are impersonating SSA OIG agents and are requesting that their targets meet them in person to hand off cash. This is a SCAM!

NEVER exchange money or funds of any kind with any individual stating they are an SSA OIG agent.

# Licensing Process Maps

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Process maps provide an overview of the licensing process:

- [Initial \(PDF\)](#)
- [Initial – Good Standing \(PDF\)](#)
- [Initial – Provisional \(PDF\)](#)
- [Renewal \(PDF\)](#)
- [Change of Ownership \(PDF\)](#)
- [Relocation \(PDF\)](#)
- [Temporary Closure \(PDF\)](#)

# Help Desk and Web Support for TULIP Users

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## HELP DESK

- **Hotline Number:** 512-438-2584
- **Hours of Operation:** 8am to 5pm (excluding state holidays)

## WEB SUPPORT

HHSC is also introducing a new web form to report issues 24/7, TULIP users can access the form from the TULIP homepage.

- If you have not logged into TULIP and you need help with password reset or registration, you can report the issue here. <https://txhhs.my.site.com/TULIP/s/tulip1>
- If you can log into TULIP and still need additional help, look for the Support option in the menu.

# TULIP Support Mailbox

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With the introduction of high responsive customer support channels mentioned above we will **discontinue** the usage of **TULIP support mailbox** ([Tulip\\_Support@hhsc.state.tx.us](mailto:Tulip_Support@hhsc.state.tx.us)).



# ALF Rule Amendments Postponed

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HHSC Long-term Care Regulation withdrew the proposed amendments to 26 TAC Chapter 553 Licensing Standards for Assisted Living Facilities, which appeared in the Dec. 22, 2023, issue of the *Texas Register* (48 TexReg 7759). [Texas Register March 1, 2024.](#)

HHSC anticipates to re-submit the proposed amendments to the Texas Register for formal public comment in late 2024.

# Registration with STEAR

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[PL 2024-02](#)

Register with the Texas Information Referral Network by calling 211 or emailing [HHSC Form 1085](#) to [stear@tdem.texas.gov](mailto:stear@tdem.texas.gov)

Once the facility has been added to the database by initially emailing the form, go to <https://stear.tdem.texas.gov> to create an online account for the facility and re-register annually.

# Authorized Electronic Monitoring Devices

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[PL 2024-03](#) – clarifies what may constitute authorized electronic monitoring (AEM) and offers guidance for providers around resident use of electronic devices, particularly those with recording capabilities.

# Medication Services for Residents in ALFs

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[PL 2023-22](#) revised 2/14/24

An ALF may provide:

- Medication administration,
- Medication supervision/assistance, or
- Resident can self-administer his/her own medications

A resident's service plan **must** indicate which of these medication services the resident receives.

ALFs must comply with the medication rule in [26 TAC §553.261 Coordination of Care \(a\) Medications](#).



# Medication Administration

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## [PL 2023-22 Medication Services for Residents in ALFs](#)

**Medication Administration** – administered according to physician’s orders only by a person who meets one of the following criteria:

- Licensed nurse employed/contracted by the ALF;
- ALF employee who holds current medication aide permit and acts under authority of a nurse on duty or on call by the facility; or
- ALF attendant to whom an RN has delegated medication administration (consistent with Texas Board of Nursing rules at [22 TAC Chapter 225](#))

# Medication Supervision or Medication Assistance



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## [PL 2023-22 Medication Services for Residents in ALFs](#)

### **Medication Supervision or Medication Assistance**

ALF may provide medication supervision/assistance if the resident is unable to or chooses not to self-administer. Staff **must** observe resident taking the medication and document in the resident's record any missed dose.

Medication supervision/assistance includes:

- Obtaining medications from a pharmacy;
- Reminding resident to take his/her medication at the prescribed time;
- Pouring a prescribed dose according to resident's medication profile record;
- Handing poured medication to resident or using hand-over-hand assistance method if resident needs help getting medication to his/her mouth; and
- Returning medication to proper locked area.

# Self-Administration

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## [PL 2023-22 Medication Services for Residents in ALFs](#)

### **Self-Administration**

ALF **must** counsel a resident who self-administers medications **at least monthly** to verify:

- Resident is still capable of self-administering,
- Resident understand what medications he/she is taking, and
- Resident stores medication securely.

ALF may also counsel immediately following a change in a resident's condition if the change might affect resident's ability to self-administer.

# Medication Records

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## [PL 2023-22 Medication Services for Residents in ALFs](#)

For each resident receiving medication administration or medication supervision services, the ALF must maintain the following records:

- Medication profile record listing each current medication's name, prescription number and pharmacy name, strength, dosage directions for use, route of administration, amount received, and date issued by pharmacy,
- Written record of any medication dose that resident missed or refused to take, and
- Any applicable documentation required in 22 TAC Chapter 225





# Pill Reminder Containers

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## [PL 2023-22 Medication Services for Residents in ALFs](#)

- Residents who self-administer medications can choose to store meds in a pill reminder container
- ALF cannot store medications in a pill reminder container for a resident who receives medication supervision/assistance
- ALF can administer medications from a pill reminder container in accordance with BON rule [22 TAC §225.11](#)
- ALF cannot store controlled substances in or administer them from a pill reminder container

# Implementing Life Safety Code Rules

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[PL 2021-32](#) revised 3/31/24

Regarding the ALF Life Safety Code (LSC) rules effective August 31, 2021, in [26 TAC §553 Subchapter D, Facility Construction](#):

- Extends compliance period for **existing** ALFs required to protect an attic until August 31, 2026
- Updates process for providers to obtain LSC checklists used by surveyors
- Updates info about typographical errors in rule and provides correct rule language



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# Policy Reminders

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Facilities are responsible for the development of their own policies and procedures.

HHSC does not maintain or provide a list of all policies and procedures required of a facility.

Facilities must be familiar with all applicable regulations, and what policies are dictated therein.



# Staffing Policies

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## [§553.253\(c\)\(1\)](#)

A facility must develop and implement staffing policies, which require staffing ratios based upon the needs of the residents, as identified in their service plans.





# Sufficient Staff

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## §553.253(c)(3)

A facility must have sufficient staff to:

- Maintain order, safety, and cleanliness;
- Assist with medication regimens;
- Prepare and serve meals in accordance with each resident's service plan;
- Assist with laundry;
- Assure each resident receives supervision and care required to meet his basic needs;
- Ensure safe evacuation of the facility in the event of an emergency.

# Staffing Requirements

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## [§553.253\(c\)\(4\)](#)

A facility must meet the staffing requirements:

### **Type A**

- Small – Night shift staff immediately available
- Large – Night shift staff immediately available and awake

### **Type B**

- Night shift staff immediately available and awake, regardless of number of licensed beds

# Personnel Records

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## §553.257(a)

A facility must keep current and complete personnel records on a facility employee including:

- documentation that the facility performed a criminal history check;
- annual employee misconduct registry check;
- annual nurse aide registry check;
- documentation of initial TB screenings;
- documentation of the employee's compliance with or exemption from the facility vaccination policy;

# Personnel Records (Cont)

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## §553.257(a)

A facility must keep current and complete personnel records on a facility employee including:

- the signed statement from the employee acknowledging that the employee may be criminally liable for the failure to report abuse, neglect, and exploitation; and
- a signed disclosure statement, indicating whether the employee:
  - has been convicted of an offense described in Texas Health and Safety Code §250.006; and
  - has lived in a state other than Texas within the past five years.





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# EMR / NAR

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[§553.257\(b\)\(2-6\)](#)

**Employee Misconduct Registry  
Nurse Aide Registry**



**Must not have a finding indicating  
the individual is unemployable.**



[Employee Misconduct Registry Search \(state.tx.us\)](#)

# Criminal History Check

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Facilities must conduct criminal history checks in accordance with Texas Health and Safety Code, Chapter 250.

[PL 2019-01](#) – Acceptable Documentation for a Criminal History Check

[PL 2022-29](#) - For applicants for employment that indicate they have lived in another state within the past five years, the facility must conduct a name-based search in each state.

# Tuberculosis Screening

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**Staff** (refer to [PL 2020-25](#))

[§553.261\(f\)\(4\)\(C\)](#) The facility must screen all employees for TB within two weeks of employment and annually, according to Centers for Disease Control and Prevention (CDC) screening guidelines. All persons who provide services under an outside resource contract must, upon request of the facility, provide evidence of compliance with this requirement.

**Residents**

[§553.261\(f\)\(4\)\(D\)](#) The facility's policies and practices for resident TB screening must ensure compliance with the recommendations of a resident's attending physician and consistency with CDC guidelines.

# TB Screening Questionnaire

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No specific form prescribed in the ALF rules for TB screening.

You may use form [TB-501](#) as a TB screening questionnaire for adults as it is consistent with CDC guidelines, but you are not required to use that specific form.

# Insulin Injections

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ALFs who provide insulin injections via delegation must follow Texas Board of Nursing rules in:

## [22 TAC §225.12](#)

Delegation of Insulin or Other Injectable Medications Prescribed in the Treatment of Diabetes Mellitus





# Emergency Preparedness

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Emergency plans should include the provider's plan to address:

- Power loss.
- Water and food needs.
- Communication to families and staff.
- Staffing shortages.
- Sheltering in place and evacuation, as applicable.

ALFs must follow emergency preparedness rules and their own internal emergency preparedness policies and procedures.

# Emergency Preparedness ALFs with Generators

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Facilities with generators should perform any maintenance or needed testing while the weather is mild. This will ensure the equipment functions in case of extreme cold or power loss.

It's important to review building integrity and identify any areas that may need repair, reinforcement or weatherproofing. Multi-story buildings should review any other needed measures should evacuation be required and have a plan in place for how to move residents around or out of the building if there's a loss of power.

Preparing for disaster is the most important step in protecting the Texans we serve and reducing the risk for loss of life.

# Emergency Plan Review

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A facility must review its emergency preparedness and response plan **at least annually** and after the following events:

- To reflect changes in information, including when an evacuation waiver is approved;
- Within 30 days following a disaster or emergency;
- Within 30 days after a drill if a shortcoming is identified; and
- Within 30 days after a change in facility policy or HHSC rule that would impact the plan.

**When was the last time you reviewed your plan?**



# Emergency Preparedness Regional Office Contact

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Facilities should contact their local [LTC Regulatory regional office](#) if they are impacted by an adverse event caused by severe weather — such as flooding, power loss, etc.

This communication is especially critical if a facility is projected to exceed its licensed capacity due to accepting residents that have been evacuated from another facility.

All requests to exceed licensed capacity must be made through the regional office and approved by the Deputy Associate Commissioner of Survey and Compliance.



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# Emergency Preparedness In-person Training

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ALF providers are invited to attend the following in-person **Emergency Preparedness for LTC Providers** trainings hosted in April, May and June.

- Tyler - Thurs April 25
- Beaumont – Tues May 21
- Houston – Thurs May 23
- Corpus Christi – Tues June 4
- Edinburg – Thurs June 6

Register on the [joint training website](#).

Classes are 8:30 AM – 5 PM.

Availability is limited so if you register for any in-person class and can't attend, please cancel your registration as soon as possible.

# Training Opportunities

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Long-term Care Regulation staff and program providers are invited to attend upcoming trainings.

Please visit the [Provider Joint Training website](#), for a full listing of joint training opportunities and course descriptions.

**Reminder** - verify if registering for a webinar or in-person class. If you register for any classes and cannot attend, please cancel your registration.



# Webinar Recordings and PDFs

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## Where can I find previous webinars?

Recordings and PDFs of previous ALF webinars are available from the [ALF Portal](#).

Past webinars are listed in the **Webinars** section.

Access the slides and a recording of the last webinar below:

- [January 17, 2024 – ALF Provider Webinar with LTCR \(PDF\)](#)
- [January 17, 2024 – ALF Provider Webinar Recording](#)

Next scheduled webinar: July 17, 2024



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# LTC Ombudsman

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**Patty Ducayet**

**State Long-term Care Ombudsman**

Telework Phone: (512) 438-4356

[https://apps.hhs.texas.gov/news\\_info/ombudsman/](https://apps.hhs.texas.gov/news_info/ombudsman/)

**Statewide Contact for an LTC Ombudsman:**

Phone: (800) 252-2412 or

Email: [ltc.ombudsman@hhs.texas.gov](mailto:ltc.ombudsman@hhs.texas.gov)

# Gov Delivery Provider Alerts



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Sign up for GovDelivery:

<https://service.govdelivery.com/accounts/TXHHSC/subscriber/new>

- Under 'Provider Alerts'
- Check 'Assisted Living Facilities (ALF) Resources'

Provider Alerts

- Aging and Disability Resource Centers (ADRCs)
- Assisted Living Facilities (ALF) Resources
- Assisted Living and Residential Care (ALRC) Resources
- Community Attendant Services (CAS)

Receive e-mail notification for:

- Provider Alerts
- Webinar Notices
- Provider Letter Notices



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# General Q&A

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# How to Contact

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## **Chassie Huffman, Manager**

[Chassie.Huffman@hhs.texas.gov](mailto:Chassie.Huffman@hhs.texas.gov)

## **LTCR Policy Mailbox**

[LTCRPolicy@hhs.texas.gov](mailto:LTCRPolicy@hhs.texas.gov)

## **ALF Provider Portal**

<https://hhs.texas.gov/doing-business-hhs/provider-portals/long-term-care-providers/assisted-living-facilities-alf>





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**Thank you!**

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