



## Health Facility Licensing Guidance Letter

<b>Number:</b> GL 19-1001-A
<b>Title:</b> Expired Medical Error Reporting Requirements (HB 1614-78R) [Amended]
<b>Provider Types:</b> Ambulatory Surgical Centers, General Hospitals, Psychiatric Hospitals, and Special Hospitals
<b>Date Issued:</b> April 1, 2021

### 1.0 Subject and Purpose

This amended guidance letter replaces the previous GL 19-1001, issued on June 4, 2020, to notify providers that effective April 1, 2021, the Health and Human Services Commission (HHSC) adopts the repeal, as published in the March 26, 2021 issue of the *Texas Register*, of Texas Administrative Code Title 25 (25 TAC) §133.48, 25 TAC §§135.26-135.27 and 26 TAC §510.47 to remove the expired Patient Safety Program reporting requirements from these rulesets.

HHSC provides guidance to licensed providers on legislation passed during the Texas legislative session. The requirements set forth in House Bill (HB) 1614 from the 78<sup>th</sup> regular legislative session in 2003 are expired. Ambulatory surgical centers (ASCs), general hospitals, psychiatric hospitals, and special hospitals are no longer required to submit annual medical error reports when applying for licensure renewal.

The Health Facility Licensing unit of the Health Care Regulation Department of HHSC receives and processes all licensure applications and renewals for ASCs, general hospitals, psychiatric hospitals, and special hospitals in Texas.

This letter outlines provider responsibilities and expectations.

## 2.0 Policy Details & Provider Responsibilities

ASCs, general hospitals, psychiatric hospitals, and special hospitals are not required to submit an annual medical error report with a license renewal application, as originally required by the patient safety program established by HB 1614 in 2003. This reporting requirement expired on September 1, 2007.

## 3.0 Background/History

In 2003, the 78<sup>th</sup> Legislature passed HB 1614, requiring an ASC, a general hospital, a psychiatric hospital, and a special hospital to submit an annual report listing the number of medical errors occurring at the facility when applying for a license renewal. HB 1614 contained language allowing the reporting requirements to expire on September 1, 2007, if the legislature did not continue the requirements. The legislature did not, and the reporting requirements therefore expired.

HHSC proposed the repeal of 25 TAC §133.48, 25 TAC §§135.26-135.27, and 26 TAC §510.47 to remove the expired Patient Safety Program reporting requirements in the November 20, 2020 issue of the *Texas Register* (45 TexReg 8237; 8238; 8240). The repeals were adopted without changes to the proposed text as published in the March 26, 2021 issue of the *Texas Register* (46 TexReg 2023; 2024; 2025). The repeals became effective on April 1, 2021.

## 4.0 Resources

View previous issues of the *Texas Register* at:

<https://www.sos.texas.gov/texreg/pdf/backview/index.shtml>.

View more information on ASC licensing and regulation at:

<https://hhs.texas.gov/doing-business-hhs/provider-portals/health-care-facilities-regulation/ambulatory-surgical-centers>.

View more information on general hospital licensing and regulation at:

<https://hhs.texas.gov/doing-business-hhs/provider-portals/health-care-facilities-regulation/hospitals-general-hospitals>.

View more information on psychiatric hospital licensing and regulation at:

<https://hhs.texas.gov/doing-business-hhs/provider-portals/health-care-facilities-regulation/hospitals-private-psychiatric-hospitals-crisis-stabilization-units>.

View ore information on special hospital licensing and regulation at:  
<https://hhs.texas.gov/doing-business-hhs/provider-portals/health-care-facilities-regulation/hospitals-special-hospitals>.

To receive future updates, sign up for GovDelivery at:  
<https://service.govdelivery.com/accounts/TXHHSC/subscriber/new>.

### **5.0 Contact Information**

If you have any questions about this letter, please contact the Policy, Rules, and Training unit by email at: [HCR\\_PRT@hhs.texas.gov](mailto:HCR_PRT@hhs.texas.gov).