



## **Health Facility Compliance Guidance Letter**

<b>Number:</b> GL 20-2010
<b>Title:</b> Temporary Suspension of Spatial Requirements in Patient Rooms in General and Special Hospitals
<b>Provider Types:</b> General and Special Hospitals
<b>Date Issued:</b> March 23, 2020

### **1.0 Subject and Purpose**

The Health and Human Services Commission (HHSC) requested the Office of the Governor suspend certain regulatory requirements in response to the state of disaster declared in Texas and the United States of America relating to COVID-19. In accordance with Texas Government Code §418.016, the Office of the Governor granted HHSC's request to suspend these rules. This suspension is in effect until terminated by the Office of the Governor or until 11:59 p.m. on April 21, 2020. This letter describes the state rules waived or suspended during the disaster.

### **2.0 Suspension Details**

The Office of the Governor waived certain rule requirements related to multi-bed patient room/areas in currently licensed general and special hospitals. Under this waiver, a currently licensed general or special hospital may temporarily increase the number of beds in patient rooms.

General and special hospitals will be required to revert to the original requirements for occupancy in the future, as required by HHSC.

#### **2.1 Temporary Waiver of Spatial Requirements**

This suspension includes flexibility to increase the number of beds in patient treatment room/areas by temporarily waiving spatial requirements for room configurations, outlets for medical gases, and nurse call systems, in the

following areas: emergency suite, intermediate care suite, and the nursing unit. Hospitals are required to revert to the original occupancy requirements as required by HHSC, and after the termination of Governor's disaster declaration. The following rules are suspended:

- General and Special Hospitals
  - Rules:
    - Texas Administrative Code, Title 25 (25 TAC) [§133.162\(d\)\(4\)\(A\)\(iii\)\(I\)](#);
    - 25 TAC [§133.163\(f\)\(1\)\(A\)\(i\)\(II\)-\(III\)](#);
    - 25 TAC [§133.163\(f\)\(1\)\(B\)\(i\)\(III\)-\(IV\)](#);
    - 25 TAC [§133.163\(m\)\(1\)\(B\)\(ii\)](#);
    - 25 TAC [§133.163\(t\)\(1\)\(B\)\(iii\)-\(iv\)](#);
    - 25 TAC [§133.163\(t\)\(1\)\(C\)](#); &
    - 25 TAC [§133.163\(t\)\(5\)\(B\)-\(C\)](#);
  - Statutes: N/A

### **3.0 Background/History**

In accordance with Texas Government Code §418.016, the Office of the Governor granted HHSC's request to suspend these rules. This suspension is in effect until terminated by the Office of the Governor or until 11:59 p.m. on April 21, 2020.

### **4.0 Resources**

Governor Abbott's Disaster Declaration

[https://gov.texas.gov/uploads/files/press/DISASTER\\_covid19\\_disaster\\_proclamation\\_IMAGE\\_03-13-2020.pdf](https://gov.texas.gov/uploads/files/press/DISASTER_covid19_disaster_proclamation_IMAGE_03-13-2020.pdf)

Governor Abbott's Executive Order GA-09

[https://gov.texas.gov/uploads/files/press/EO-GA\\_09\\_COVID-19\\_hospital\\_capacity\\_IMAGE\\_03-22-2020.pdf](https://gov.texas.gov/uploads/files/press/EO-GA_09_COVID-19_hospital_capacity_IMAGE_03-22-2020.pdf)

## **5.0 Contact Information**

If you have any questions about this letter, please contact the Policy, Rules and Training Unit by email at [HCO\\_PRT@hhs.state.tx.us](mailto:HCO_PRT@hhs.state.tx.us).