



## Health Facility Compliance Guidance Letter

<b>Number:</b> GL 20-2021-A
<b>Title:</b> Hospital Visitor Screening & Access in Response to COVID-19 [Amended]
<b>Provider Types:</b> Hospitals – General, Hospitals – Special
<b>Date Issued:</b> January 22, 2021

### 1.0 Subject and Purpose

This amended guidance letter replaces the previous GL 20-2021, issued on September 25, 2020, to notify providers that effective January 23, 2021, emergency rule §133.51, Visitor Screening and Access During the COVID-19 Pandemic Texas Administrative Code Title 25 (25 TAC), Part 1, Chapter 133, is extended for an additional 60 days. The emergency rule extension is effective until March 23, 2021 and can be viewed in the Texas Register under docket number **202004012**.

The Health and Human Services Commission (HHSC) adopted an emergency rule in response to the state of disaster declared in Texas and the United States of America relating to COVID-19. Under the new emergency rule, effective September 25, 2020, currently licensed hospitals are required to screen visitors and restrict access as necessary to limit the spread of COVID-19 in response to the COVID-19 pandemic.

### 2.0 Emergency Rule Details

Emergency rule §133.51, Visitor Screening and Access During the COVID-19 Pandemic, is adopted under 25 TAC, Part 1, Chapter 133, Subchapter C. Under this emergency rule, general and special hospitals must adopt, implement, and enforce written policies and procedures to screen each person entering the hospital and restrict visitor access as the hospital determines necessary to limit the spread of COVID-19.

## **2.1 Emergency Rule §133.51 Visitor Screening and Access During the COVID-19 Pandemic**

Under emergency rule §133.51, Visitor Screening and Access During the COVID-19 Pandemic, a hospital licensed under Health and Safety Code Chapter 241 shall limit visitors allowed in the facility to the extent the hospital determines such limitation is necessary to prevent or control a COVID-19-related health and safety risk.

Hospitals shall adopt, implement, and enforce written policies and procedures to screen each person entering the hospital, using criteria based on state, local, and federal guidance, and prohibit entry of any person who does not meet the screening criteria.

A hospital may not prohibit government personnel performing their official duties from entering the hospital, unless the person fails to meet the hospital's screening criteria.

## **3.0 Background/History**

HHSC originally adopted a previous emergency rule at §133.51, Emergency Rule for Hospital Response to COVID-19, on April 3, 2020 and extended it on July 31, 2020. This emergency rule was repealed and replaced by the new emergency rule, Visitor Screening and Access During the COVID-19 Pandemic, on September 25, 2020.

In accordance with Texas Government Code §2001.034, HHSC adopted emergency rule §133.51, relating to Visitor Screening and Access During the COVID-19 Pandemic in 25 TAC, Part 1, Chapter 133, Subchapter C, Operational Requirements, on September 25, 2020, due to imminent peril to the public health, safety, or welfare. This emergency rule may not be effective for longer than 120 days and may not be renewed for longer than 60 days.

## **4.0 Resources**

View emergency rule §133.51 in the Texas Register by searching Texas Register Docket Number (TRD ID): **202004012** at:  
[https://texreg.sos.state.tx.us/public/regviewctx\\$.startup](https://texreg.sos.state.tx.us/public/regviewctx$.startup).

View Governor Abbott's Disaster Declaration, at:  
[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).

To receive future updates, sign up for GovDelivery:  
<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).