



Substance Use Disorder Compliance Guidance Letter

Number: GL 21-3002-A
Title: Outpatient Treatment Services Via Electronic Means for Adolescents in Chemical Dependency Treatment Facilities During the COVID-19 Pandemic [Amended]
Provider Types: Chemical Dependency Treatment Facilities
Date Issued: September 3, 2021

1.0 Subject and Purpose

This amended guidance letter replaces previous GL 21-3002, to notify providers that effective September 4, 2021, emergency rule amendment §448.911, Treatment Services Provided by Electronic Means, in Texas Administrative Code Title 25, Chapter 448, Subchapter I, is extended for an additional 60 days. The emergency rule extension is effective until November 02, 2021 and can be viewed in the *Texas Register* under docket number **202101783**.

HHSC adopted an emergency rule amendment in response to the state of disaster declared in Texas and the United States of America relating to COVID-19. Under the emergency rule amendment, currently licensed CDTFs may temporarily provide outpatient treatment services through electronic means to adolescent clients to reduce the risk of COVID-19 transmission and ensure continued access to treatment.

This letter describes the emergency rule amendment adopted during the disaster.

2.0 Emergency Rule Details

The emergency amendment to §448.911, Treatment Services Provided by Electronic Means, is adopted under 25 TAC, Part 1, Chapter 448, Subchapter I.

2.1 Emergency Rule Amendment to §448.911(a)(1) Treatment Services Provided by Electronic Means

Under this emergency rule amendment, CDTFs may provide outpatient treatment services through electronic means to adolescent and adult clients in response to COVID-19. CDTFs must follow the operational requirements when providing services under this emergency rule amendment. This amendment is effective until it expires or is rescinded at an earlier date as determined by HHSC. The amended rule is reproduced below:

§448.911. Treatment Services Provided by Electronic Means.

(a) A licensed treatment program may provide outpatient chemical dependency treatment program services by electronic means provided the criteria outlined in this section are addressed.

(1) Services may be provided to adult and adolescent clients; [...]

The remainder of §448.911 remains unchanged.

3.0 Background/History

HHSC adopted a previous emergency rule amendment to §448.911(a)(1), Treatment Services Provided by Electronic Means, on November 8, 2020, and extended it on March 8, 2021. This emergency rule amendment was replaced by the new emergency rule amendment on May 7, 2021.

In accordance with Texas Government Code §2001.034, HHSC adopted an emergency rule amendment to §448.911(a)(1), relating to Treatment Services Provided by Electronic Means, in 25 TAC, Part 1, Chapter 448, Subchapter I, effective May 7, 2021, 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 the emergency rule amendment in the Texas Register by searching Texas Register Docket Number (TRD ID): **202101783** 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.

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.