



Home and Community Support Services Agencies Frequently Asked Questions Regarding ANE Reporting Process

Questions regarding these FAQs can be directed to LTCR Policy and Rules at 512-438-3161 or LTCRPolicy@hhs.texas.gov.

Do we still need to obtain an Intake Number after reporting an incident?

Answer: Yes. Complaint Incident and Intake (CII) will still provide an intake number.

What is an example of ANE (abuse, neglect, and exploitation) that would still be reported to DFPS (Department of Family and Protective Services)?

Answer: If a HCSSA provider is suspicious of ANE being perpetrated by a family member or someone who has an ongoing relationship with the client who is not providing care for them under a HCSSA in any capacity, that would fall under the jurisdiction of DFPS. Another example would be self-neglect by the client.

Are we still required to submit Form 3613, Provider Investigation Report?

Answer: Yes. Form 3613 will still be required. The timeframe for submitting the form has not changed. Form 3613 will have to be submitted no later than the 10th day after reporting the allegations as per [26 TAC §558.250 \(b\)\(3\)](#).

We are a pediatric only HCSSA and do not collect social security numbers on our clients. We aren't able to submit a report via TULIP. Is the only option to report via email?

Answer: As of July 1, 2023 there will be three methods to submit a self-report. Self-reported incidents of ANE can be made via one of the three methods listed below:

- Submit on-line at <https://txhhs.force.com/TULIP/s/> ;
- Email CII at ciicomplaints@hhs.Texas.gov ; or

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- Call by phone to 800-458-9858.

As of September 1, 2023, HCSSAs will be required to report via the following two methods:

- Submit online at <https://txhhs.force.com/TULIP/s/> ,
- Email CII at ciicomplaints@hhs.Texas.gov , or
- Call by phone to 800-458-9858.

If the client does not have a social security number, the HCSSA will have to report via one of the other two methods:

- Email CII at ciicomplaints@hhs.Texas.gov, or
- Call by phone to 800-458-9858.

Do incidents of self-neglect need to be reported via TULIP?

Answer: All incidents of self-neglect should be reported to DFPS if there is no HCSSA involvement.

A client informed me that they lent money to their attendant. Does this need to be reported?

Answer: Yes. Any instances where the client lends the attendant money, takes out a loan for the client, etc., need to be reported as exploitation.

If my agency receives a report of ANE from DFPS, who do I report this to?

Answer: This will be reported to CII online via TULIP or via email within 24 hours. You are not required to report this to Adult Protective Services (APS), as APS is a department within DFPS.

What reporting changes take place July 1, 2023?

Answer: Effective July 1, 2023, allegations of ANE involving a Medicaid client or a child, if committed by a HCSSA, are to be reported to CII. All other alleged ANE is to be reported to both HHSC and DFPS using the existing protocol.

What reporting changes take place September 1, 2023?

Answer: Effective September 1, 2023, all allegations of ANE committed by a HCSSA are to be reported to HHSC via CII. You will no longer be required to make a report to DFPS because DFPS will no longer investigate allegations of ANE involving HCSSA providers.

Will Form 3613 be changed to reflect the changes with DFPS?

Answer: The form is being revised as necessary and will be released once completed.

How long does a HCSSA have to report an allegation of ANE after it happened?

Answer: As required by [26 TAC §558.249 \(c\)](#), if an agency or a person believes that a client, serviced by the agency, has been abused, neglected, or exploited by an agency employee, the agency must report the information immediately, which means within 24 hours. This reporting requirement has not changed.

My agency is a PAS agency. Does the September 1, 2023 date apply for the new process?

Answer: Both the July 1, 2023 and September 1, 2023 implementation dates will affect a PAS. The date of implementation will depend on the payor source of the client involved. If the client is a private pay client, they will be subject to the September 1, 2023 implementation date for reporting. If the client is a Medicaid recipient or child, they will be subject to the July 1, 2023 implementation date for reporting.

If the client or family wants to make a report without notifying the HCSSA, how should they make the report?

Answer: If a client or family wishes to report a HCSSA, they can report via one of the following methods:

- Submit on-line at <https://hhs.texas.gov/services/your-rights/complaint-incident-intake/how-do-i-make-a-complaint-about-hhs-service-provider> ;
- Email CII at ciicomplaints@hhs.Texas.gov ;
- Call by phone at (800) 458-9858, press #1;
- By mail at Texas Health and Human Services
Complaint and Incident Intake

Mail Code E249
P.O. Box 149030
Austin, TX 78714-9030; or

- By fax at (877) 438-5827 or (512) 438-2724.

Are these changes to reporting based on the HCSSA category of service?

Answer: No. These changes are not based on category of service. The changes that are effective on July 1, 2023 are for Medicaid clients and children. The changes that are effective on September 1, 2023 are for all other payor sources.

What Medicaid-related programs are included for the July 1, 2023 implementation date?

Answer: The following HCSSA licensed Medicaid-related programs impacted are:

- Primary Home Care (PHC)
- Community Attendant Services (CAS)
- Family Care (FC)
- Managed Care, such as STAR+PLUS
- Community Living Assistance and Support Services (CLASS)
- Deaf Blind with Multiple Disabilities (DBMD)
- Medically Dependent Children Program (MDCP)
- Personal Care Services (PCS)
- Community First Choice (CFC)

If the client is a child that is a non-Medicaid consumer, will ANE be reported to DFPS until September 1, 2023?

Answer: No. Effective July, 1, 2023, a report of ANE against a child will be reported only to CII, regardless of the payor source.

A client reported to the agency after the fact an ANE allegation that involved a former HCSSA employee. Does this still need to be reported?

Answer: Yes. Even if the employee no longer works for the HCSSA, this still needs to be reported as it involved a client and a HCSSA employee when the alleged ANE occurred.

Can the Medicaid or Medicare number be used in place of the social security number for reporting via TULIP?

Answer: No. If the client's social security number is not available, the HCSSA will have to report via one of the other two methods:

- Email CII at ciicomplaints@hhs.Texas.gov, or
- Call by phone to 800-458-9858.

To be able to report via TULIP, can a HCSSA staff member register themselves or does the administrator have to register them?

Answer: An administrator must register staff who have these permissions.

If someone other than a HCSSA called in alleged ANE to DFPS on or after September 1, 2023, will DFPS tell them to call CII or will DFPS notify CII of the allegations?

Answer: Starting on September 1, 2023, ANE allegations committed by an employee, volunteer, contractor, or subcontractor of a HCSSA provider, will be processed by CII. Statewide Intake can either provide the contact information for CII for the caller to contact CII or DFPS will forward the information to CII.