Texas Health and Human Services Commission Annual Report Regarding Long-term Care Regulatory

As Required by

THSC §242.005

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Executive Summary

The Health and Human Services Commission's (HHSC) Long-term Care Regulatory (LTCR) program regulates facilities, agencies, programs and individual providers of long-term care services in Texas. The Texas Health and Safety Code 242.005 requires HHSC to prepare an annual report of the operation and administration of its responsibilities under Chapter 242. This report which describes the regulation of nursing facilities, along with other entities that provider long-term care, has been prepared to meet the reporting requirement of Texas Health and Safety Code §242.005.

This report provides data on the number of providers licensed and/or certified, LTCR visits and contacts with these providers, and enforcement actions taken against providers for failing to comply with applicable standards. As the number of long-term care providers in Texas continues to increase, LTCR must inspect, license, and investigate a higher number of complaints and incidents.

LTCR continually strives to increase its quality, consistency, efficiency, and accountability as it carries out its regulatory responsibilities. LTCR includes a policy, rules, and training section to assist the department in meeting these goals. Multiple projects and initiatives have been accomplished or are in progress to also assist the department in meeting these goals, including:

- Joint trainings with providers
- A strategic reallocation of resources
- A redesigned investigation process
- Implementation of an online licensure portal

During the 2019 legislative session, LTCR has been working with lawmakers on statutory initiatives identified to strengthen the state's oversight of long-term care settings to further protect public health and safety.

1. Introduction

The Regulatory Services Division (RSD) LTCR program's mission is to protect the health and safety of the more than 1 million older Texans and those with disabilities who need services and supports to lead dignified, independent, and productive lives. To continue fulfilling these critical functions in a state with a fast-growing older population, HHSC is evaluating the best approach to address resource needs, including requesting additional front-line staff positions.

The LTCR program regulates facilities, agencies, programs and individual providers of long-term care services through:

- Inspections and surveys
- Follow-up visits
- Complaint and incident investigations
- Enforcement actions
- Other contacts required for carrying out state and federal licensure or certification responsibilities, such as telephone monitoring

The following long-term care (LTC) facilities, agencies and programs must be licensed or, if exempt from licensure, certified by the state and comply with licensure rules (or federal certification requirements) to operate in Texas:

- Assisted living facilities (ALFs)
- Day activity and health services facilities (DAHS)
- Home and community support services agencies (HCSSAs)
- Intermediate care facilities for individuals with an intellectual disability or related condition (ICFs/IID)
- Nursing facilities (NFs)
- Prescribed pediatric extended care centers (PPECCs)
- Home and Community-based Services (HCS) waiver providers (certified, exempt from licensure)
- Texas Home Living (TxHmL) waiver providers (certified, exempt from licensure)

Until January 1, 2019, the LTCR program also enrolled providers and managed the Medicaid provider contract agreements for NFs and ICFs/IID to ensure they meet all federal requirements to participate in the Medicaid program and were eligible to receive Medicaid reimbursements. These enrollment activities included initial provider contract enrollment, contract renewals, contract amendments, changes of

ownership, and facility relocations. Effective January 1, 2019, these functions transferred to the HHSC Medicaid & CHIP Services Division.

The LTCR program is also responsible for the following activities and programs related to the administration and operation of LTC facilities:

- Nursing facility administrator licensing and investigations
- Medication aide permitting
- Nurse Aide Training and Competency Evaluation program
- Nurse aide certification
- Employee Misconduct Registry maintenance

2. Background

According to the U.S. Census Bureau, in 2018 there were an estimated 3.5 million people in Texas age 65 and older; they made up approximately 12.3 percent of the total Texas population of 28.7 million. This group is one of the fastest-growing populations in Texas. By 2050, this group is expected to grow to more than 15 million. (Data source: U.S. Census 2018 Estimates and Texas State Data Center, University of Texas at San Antonio)

By 2050, Texans age 65 and older will comprise 17.4 percent of the total Texas population. According to a demographer with the U.S. Census Bureau, "The aging of baby boomers means that within just a couple decades, older people are projected to outnumber children for the first time in U.S. history." As the older adult population increases, Texas will need more health and human services and supports for older residents, their caregivers and communities (Aging Texas Well Plan 2018-2019).

Most older Texans live in one of the 25 metropolitan areas in Texas. The 77 metro area counties contain 83 percent of the population age 60 and older. The remaining 17 percent of the older adult population lives in 177 rural counties. Sixty-eight rural counties have a population density of less than seven people per square mile; less than 1 percent of Texans age 60 and older live in these less densely populated counties. (Source: Texas State Plan on Aging 2015-2017)

Thirty-nine percent of Texans age 65 and older (1.2 million) have one or more disabilities. Certain population groups are more likely to experience disability than others. Disability is more common among women than among men age 75 and older. This may reflect the fact that many more women than men live to be this age.

In Texas, the growth of the aging population and increased longevity will mean a marked increase in the number of people age 85 and older. In 2010, the population age 85 and older was 305,000; by 2050, it is expected to increase to 1.6 million, an increase of greater than 400 percent. This segment of the population will increase from 1.2 percent to 2.8 percent of the total state population. Rates of disability and serious chronic illness tend to increase with age. This rapid increase in the number of the oldest people is expected to increase the need for long-term services and supports. (Source: Texas Demographic Center Aging in Texas, June 2016)

3. Trends in Long-term Care

Facility Capacity and Occupancy

Along with the aging population, Texas has seen an increasing need for NFs and ALFs. The number of ALFs and NFs has increased by 9.5 percent and 2.2 percent since 2015, respectively. ICFs/IID and DAHS facilities decreased during this same period. HHSC also licensed its first PPECC facility in 2018 and now has two licensed PPECC facilities.

ALFs continue to be the fastest-growing segment of long-term care in Texas. In state fiscal year (SFY) 2019, Texas had 2,003 ALFs (75,903 beds) as compared to 1,829 (63,949 beds) in SFY 2015. This trend reflects the fact that more consumers are choosing ALFs as an alternative to NF care, in part because residents might need assistance with activities of daily living but do not necessarily need the medical care provided by a NF. The increase in ALFs may also be a function of providers obtaining ALF licenses to care for very diverse populations.

In SFY 2019, the occupancy rate for ICFs/IID overall was 65 percent. When the occupancy data for ICFs/IID is broken down between the state-operated state supported living centers versus private and community-based facilities, state-operated facilities have a much lower occupancy rate (46.7 percent compared to 86 percent). Of the 805 ICFs/IID, 422 of them are at 100 percent occupancy. As advocates encouraged these individuals to transition from institutional to community-based settings, the Texas Legislature in the early 1990s imposed a restriction on new licenses for ICFs/IID. With an occupancy rate of 86 percent in private and community operated facilities, some stakeholders have expressed interest in increasing ICF/IID capacity, which has translated into proposed bill/riders related to capacity this legislative session.

NFs have seen a slight decrease in occupancy since SFY 2015, from 68.1 percent in 2015 to 65.6 percent in SFY 2019.

Enforcement

A key part of the LTCR program's responsibilities is to take the appropriate enforcement actions when providers fail to comply with relevant federal and state statutes and regulations. The enforcement data in the annual report has reflected a significant increase in the imposition of Civil Monetary Penalties (CMPs) than in

previous years. This increase was primarily due to guidance from the federal Centers for Medicare & Medicaid Services (CMS) to the state survey agencies, such as LTCR, regarding a 2016 mandatory imposition of federal remedies, which include CMPs. In SFY 2018, 416 CMPs were imposed on Texas facilities by CMS. For the first two quarters of SFY 2019, 112 CMPs have been imposed. The total state amount received by CMS from CMPs in SFY 2018 was $8,218,224, compared to $5,301,585 for the first two quarters of SFY 2019. If the first two quarters of SFY 2019 is projected for the full year, there will be fewer CMPs imposed, but the total amount will increase.

In SFY 2018, HHSC imposed 64 administrative penalties for NFs and assessed 17 administrative penalties. In the first two quarters in SFY 2019, five administrative penalties were imposed, and one was assessed. If the first two quarters of SFY 2019 is projected for a full year, fewer administrative penalties will be imposed and assessed in SFY 2019.

For HCSSAs, 812 administrative penalties were imposed by HHSC in SFY 2018. For the first two quarters of SFY 2019, 559 administrative penalties were imposed. If the first two quarters of SFY 2019 are an indication of the year, there will be an increase in administrative penalties imposed in SFY 2019.

Complaints and Incidents

To protect the health and safety of individuals receiving long-term care services, the Regulatory Services Division's (RSD) Complaint and Incident Intake (CII) department fields and triages complaints about providers as well as incidents self-reported by providers. CII sends complaints and incidents associated with LTC providers to the LTCR Survey Operations team to investigate within prescribed timeframes based on the severity of the situation. While the workload of LTCR Survey Operations staff for comprehensive licensure surveys is predictable, the number of complaints and incidents received is highly variable and has a significant impact on workloads.

For ALFs, the number of both complaints and incidents has increased since SFY 2013 by 11 percent, with a five-year high in complaints in SFY 2018 (1,956 to 2,580, a 32 percent increase since SFY 2013) and a five-year increase in incidents in SFY 2018 (1,096 to 2,370, a 116 percent increase since fiscal year 2013). In the first two quarters of SFY 2019, CII received 1,173 complaints and 1,333 incidents. If the first two quarters of SFY 2019 are an indication of the year, there will be fewer complaints and more incidents in SFY 2019.

LTCR also investigated a substantially higher number of complaints and incidents regarding NFs, with a five-year increase in both. In SFY 2018, the number of complaints had increased 36.8 percent since SFY 2013 (8,157 to 11,160), while the number of incidents increased 52.3 percent in the same period (10,741 to 16,363). In the first two quarters of 2019, CII received 5,255 NF complaints and 8,287 incidents. If the first two quarters of SFY 2019 are projected for the year, there will be fewer complaints and more incidents in SFY 2019.

For HCSSAs, CII received 1,642 complaints and 7,448 incidents in SFY 2018. In the first two quarters of SFY 2019, it fielded 736 complaints and 3,627 incidents. If the first two quarters of SFY 2019 are projected for the year, there will be fewer complaints and incidents in SFY 2019.

Visits and Contacts

The number of visits and contacts that LTCR Survey Operations has with facilities, agencies, and other LTC providers is affected by the number of providers, the number of complaints and incidents, and the availability of staff to complete the task. A loss of staff positions in SFY 2018 hindered the program's ability to complete visits and contacts within prescribed timeframes. Many of these positions were reinstated in the summer of SFY 2018, allowing staff to make a higher number of visits and contacts. However, hiring and training of new staff, particularly for LTCR surveyors, takes time and continues in SFY 2019.

The total number of facility contacts and visits decreased by 14 percent (3,075 visits) in SFY 2018 (18,899 visits) compared to SFY 2017. In the first two quarters of SFY 2019, LTCR made 9,630 visits. If the first two quarters of SFY 2019 hold over the year, providers will see a slight increase in the number of visits in SFY 2019. Most of the decrease from SFY 2017 to SFY 2018 was for state licensed-only providers, with an increase noted in HCSSA visits. In the first two quarters of SFY 2019, LTCR made 2,426 ALF visits (4,236 in 2018); 397 DAHS visits (661 in 2018); and 1,652 HCSSA visits (4,500 in 2018). If the first two quarters of SFY 2019 are projected over the year, LTCR will see an increase in licensed-only visits and fewer HCSSA visits in SFY 2019.

The number of reviews of waiver programs (reviews completed at the contract level) was 543 in the first two quarters in SFY 2019 (1,287 in 2018). If the first two quarters of SFY 2019 are an indication of the year, LTCR will conduct fewer reviews in SFY 2019. The projected decrease can be seen in both HCS reviews (951 reviews in SFY 2018; 411 reviews so far in 2019) and TxHmL reviews (336 reviews in SFY 2018; 132 reviews so far in 2019). The number of HCS residential reviews (reviews

completed in every home with a residential component) is also projected to decrease (15,120 reviews in 2018; 5,300 reviews so far in SFY 2019). The majority of these reviews were completed on the residential component in foster care (84.4 percent).

4. Projects, Initiatives, and Accomplishments

The LTCR program strives to continuously improve on measures of quality, consistency, efficiency, and accountability and has undertaken a variety of initiatives to improve the service it provides to consumers, providers, and other stakeholders. Many of these efforts focus on improving the consistency of the survey process so that regulated entities are surveyed or investigated similarly across the state.

Joint Trainings with Providers

HHSC will continue conducting joint trainings for both regulatory surveyors and providers as part of its effort to improve its own consistency as well as the LTC services provided to individuals. These well-attended joint trainings have generated positive reviews from providers and survey staff alike. Courses are available for NFs, ICFs/IID, ALFs and HCSSAS, and all are listed on the HHSC website. In 2019, LTCR launched a joint training webinar to provide training to providers and LTCR staff regarding the imposition of administrative penalties based on the scope and severity of a licensing violation, as required by House Bill 2025, 85th Legislature, 2017.

Resource Allocation

During the 2017 legislative session, 74 vacant full-time equivalent positions (FTEs) in LTCR were eliminated during the appropriations process for the 2018-19 biennium. In 2018, HHSC leadership received approval to transfer funding for 81 FTEs from other HHSC budget strategies to RSD, many of which were for LTCR surveyor positions. This reinstatement of positions significantly increased LTCR's ability to meet federal and state requirements. These staff continue to be hired and trained in SFY 2019.

Investigation Process Redesign

LTCR is redesigning the complaint and incident investigation process to ensure more consistent, thorough investigations. This effort emphasizes investigator off-site preparation before going on-site to investigate, as well as a streamlining of the reports they write detailing the results of their investigations. This effort has made it easier for providers to identify the salient aspects of the investigation and better

understand the determinations made by LTCR surveyors. The process has already been implemented in the NF program; other programs will adopt the process in the coming year. LTCR has also initiated a project to realign investigations of facility-reported incidents to eliminate the 30- and 45-day on-site investigation timeframes, for programs where allowed by law.

Texas Unified Licensure Information Portal (TULIP)

In early September 2018, LTCR launched a web-based licensure system for licensed LTC providers. TULIP was envisioned to bring more efficiency to the licensing process. It allows long-term care providers to conduct all state licensure activities online, and HHSC has phased out paper licensure applications. LTCR will continue coordinating closely with providers and HHSC Information Technology staff to make continued improvements to the system to better serve long-term care providers.

Home and Community Support Services Agencies (HCSSA) Moratorium

As of January 30, 2019, CMS allowed the moratorium on Medicare certification for new HCSSA providers to expire. Although the moratorium has expired, CMS is not funding state agencies to conduct initial survey activity, so HCSSAs pursuing Medicare certification must continue to work with an accrediting organization.

5. Statutory Policy Recommendations

Fingerprint Checks for Certified Nurse Aides and Medication Aides

The criminal background checks required for nurse aides and medication aides and completed by the training programs are Texas Department of Public Safety (DPS) name-based checks, which provide only an initial snap-shot view of an individual's criminal history. Requiring the use of FBI fingerprint checks with a "rap back" service will allow HHSC to receive ongoing notifications of any criminal history nationwide, including arrests, prosecutions, and convictions, and eliminate the need for a facility to conduct name-based background checks on a nurse aide or another employee before hiring.

HHSC received funding in the 86th Legislative session in response to an exceptional item on background checks as part of the agency's Legislative Appropriations Request for 2020-2021. With this funding and upon implementation of new rules, LTCR staff will be able to receive and assess the results of the initial fingerprint criminal background check and, through ongoing "rap back" reports, be notified of any additional arrests or convictions going forward. Providers will see greater protection from hiring or continuing to employ unqualified aides, which increases their compliance with applicable standards and improves quality of care.

Home and Community Support Services Agencies (HCSSA) Statutory Changes

The previous licensure period for HCSSAs had been two years. In the 86th session, HHSC requested that the statute be updated to allow a licensure period of three years to align the licensure period with all other providers that LTCR licenses.

HHSC also requested that its authority to investigate allegations of abuse, neglect, or exploitation of adults receiving inpatient, non-Medicaid hospice services provided by a HCSSA employee, volunteer, contractor or subcontractor be clarified in statute.

Both initiatives were passed by the Texas Legislature and signed by Governor Abbott.

6. Conclusion

HHSC leadership remains committed to streamlining regulatory practices, reducing duplicative regulation, limiting unnecessary expenditures, and using technology and innovation wherever possible. This is particularly critical given the challenges and demands facing state agencies and providers in the rapidly changing health and human services environment.

A key part of this effort is to continue focusing on quality improvement. For providers, this means implementing and enforcing quality assurance programs to improve operations, compliance with regulations, and services to clients. For HHSC, it means continuing efforts both within LTCR and with other areas of the agency to assist providers in their journey toward continual improvement. Texas has made significant strides on certain key measures of quality, including a major reduction in the inappropriate use of antipsychotic medications in nursing facilities, and HHSC believes it is vital to maintain this momentum.

To achieve the vision of transformation and quality improvement, the HHSC system must further efforts to break down bureaucratic silos and ensure that providers, managed care organizations, regulators, advocates, and other stakeholders all work together to pursue innovations and improvements to protect the health and safety of our most vulnerable Texans.

List of Acronyms

Acronym	Full Name
ADL	Activities of daily living
ALF	Assisted living facility
AP	Administrative penalty
CFC	Consumer First Choice
CFR	Code of Federal Regulations
CII	Complaint and Incident Intake
CMP	Civil money penalty
CMS	Centers for Medicare and Medicaid Services
CNA	Certified Nurse Aide
DADS	Department of Aging and Disability Services
DAHS	Day activity and health services
DFPS	Department of Family and Protective Services
DPS	Department of Public Safety
FY	Fiscal year
HAB	Habilitation
HB	House Bill

Acronym	Full Name
HCS	Home and Community-based Services
HCSSA	Home and community support services agencies
HHSC	Health and Human Services Commission
HRC	Human Resources Code
HSC	Health and Safety Code
IA	Imposing authority
ICF/IID	Intermediate care facility for individuals with an intellectual disability or related condition
IJ	Immediate jeopardy
IR	Informal reconsideration
LAR	Legally Authorized Representative
LSC	Life Safety Code
LTC	Long-term care
NF	Nursing facility
NFA	Nursing facility administrator
NFPA	National Fire Protection Association
OAG	Office of the Attorney General
OASIS	Outcome and Assessment Information Set

Acronym	Full Name
OSC	Opportunity to show compliance
PAS	Personal attendant services
PDP	Personal development plan
PPECC	Prescribed pediatric extended care center
RN	Registered Nurse
RSD	Regulatory Services Division
S&C	Survey and certification
Sec	Section
SB	Senate Bill
SSLC	State supported living center
TAC	Texas Administrative Code
TGC	Texas Government Code
THRC	Texas Human Resources Code
TOC	Texas Occupations Code
TULIP	Texas Unified Licensure Information Portal
TxHmL	Texas Home Living
WS&C	Waiver survey and certification

Appendix A. Assisted Living Facility (ALF) and Unlicensed Facility

Assisted Living Facility and Unlicensed Facility Actions

The tables in this appendix contain information relating to Texas Health and Safety Code, Title 4, Subtitle B, Chapter 247, Assisted Living Facilities, facility actions and unlicensed facility actions, by category, for fiscal year (FY) 2019, quarters 1 and 2.

Administrative Penalties

Basis for Imposing

LTCR can assess an administrative penalty against a person who:

- Violates this chapter or a rule, standard, or order adopted under this chapter or a term of a license issued under this chapter.
- Makes a false statement, that the person knows or should know is false, of a material fact:
  - On an application for issuance or renewal of a license or in an attachment to the application.
  - With respect to a matter under investigation by the regulatory agency.
- Refuses to allow a representative of the department to inspect:
  - A book, record or file required to be maintained by an ALF.
  - Any portion of the premises of a facility.
- Willfully interferes with the work of a representative of the regulatory agency or the enforcement of this chapter.
- Willfully interferes with a representative of the regulatory agency preserving evidence of a violation of this chapter or a rule, standard, or order adopted under this chapter or a term of a license issued under this chapter.
- Fails to pay a penalty assessed under this chapter before the 30th day after the date the assessment of the penalty becomes final.
- Fails to notify the regulating agency of a change of ownership before the effective date of the change of ownership.

Imposed

An action can be recommended by:

- The regional survey or investigation team and supported during enforcement review.
- The regional or state office regulatory staff, considering the survey or investigation findings or evaluating the facility's history or performance.

State regulatory staff impose the action when the administrative penalty recommendation has been reviewed and confirmed by state office. The facility is formally notified of the administrative penalty citation and the penalty amount. Additionally, the notice includes information about the appeal process available to the facility.

Assessed

Penalties assessed are the final actions after the appeal process has been completed (or an agreement to settle has been reached) and a final amount has been decided, or if the person charged consents to the penalty or does not respond in a timely manner to the notice of the penalty. The facility is notified of the amount to be paid and the date payment is due. A lump sum payment or a monthly payment plan can be agreed upon during the appeal or settlement process.

Injunctive/Other Relief and Civil Penalty Referrals

The regulating agency can refer a licensed or unlicensed ALF to the OAG or district attorney or county attorney under Texas Health and Safety Code Chapter 247. When a case is resolved through settlement, a portion of the payment is designated a civil penalty and normally deposited to general revenue. The OAG receives the portion designated as attorney fees and costs.

Although there may be several survey or investigative visits to the same ALF resulting in civil penalty recommendations, the recommendations are generally consolidated into one case when referred to the OAG.

A civil penalty can be awarded if an ALF violates a licensing rule and LTCR determines the violation threatens resident health and safety, or if the ALF is operating without a license.

Amelioration of Violations

In certain situations, the HHSC executive commissioner can allow, in lieu of demanding payment of an administrative penalty, the use (under the agency's

supervision) of any portion of the penalty to ameliorate the violation or to improve services (other than administrative services) in the ALF affected by the violation.

Trusteeships

LTCR, through the OAG, can petition a court of competent jurisdiction for the involuntary appointment or appointment by agreement of a trustee to operate an ALF if one or more of the following conditions exist:

- The ALF is operating without a license.
- The ALF's license has been suspended or revoked.
- License suspension or revocation procedures against a ALF are pending and an imminent threat to the health and safety of the residents exists.
- An emergency presents an immediate threat to the health and safety of residents.
- The ALF is closing (whether voluntarily or through an emergency closing order), and arrangements for relocation of the residents to other licensed institutions have not been made before closure.

Emergency Suspension and Closing Orders

LTCR will suspend an ALF's license or order an immediate closing of all or part of the ALF if:

- The agency finds that the ALF is operating in violation of the licensure rules.
- The violation creates an immediate threat to the health and safety of a resident.

The order suspending a license or closing a part of an ALF is either immediately effective on the date the license holder receives written notice, or on a later date specified in the order. This suspension can occur simultaneously with any other enforcement provision available to HHSC. The order is effective for 10 days.

Denial of License

LTCR can deny an ALF's license when the ALF does not meet licensure rules.

More specifically, it can deny a ALF's license if a ALF:

- Violates Texas Health and Safety Code Chapter 247 or the rules adopted under it in a repeated or substantial manner.
- Aids, abets, or permits a substantial violation of the rules.

- Fails to submit required information and documents needed to complete the application process or provides false or fraudulent information.
- Fails to pay certain fees.
- Has had a license revoked, has been debarred or excluded from the Medicare or Medicaid program, has a court injunction prohibiting the applicant or manager from operating an ALF, has been subject to certain enforcement actions, has a criminal conviction, has an unsatisfied judgment, has been evicted or has had a license suspended.
- Committed any act described by Texas Health and Safety Code §247.0451(a)(2)-(6).
- Has violated Texas Health and Safety Code §247.021.
- Any controlling person subject to refusal or denial as described in Texas Administrative Code, Title 26, Part 1, Chapter 560, Denial or Refusal of License.

Revocation of License

The regulating agency can revoke a facility's license for a violation of Texas Health and Safety Code Chapter 247 or a rule adopted under this chapter.

More specifically, it can revoke a license when the license holder:

- Violates Texas Health and Safety Code §247.0451(a)(2)-(6).
- Violates Texas Health and Safety Code Chapter 247 or the rules adopted under it in a repeated or substantial manner.
- Submits false or misleading statements on an application.
- Uses subterfuge or other evasive means to obtain a license.
- Conceals a material fact or fails to disclose a material fact on a license application.
- Violates Texas Health and Safety Code §247.021.

Assisted Living Facility Administrative Penalties

Region	City	Facility ID	Facility	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance Due
03-Arlington	Frisco	106761	Landing at Watermere Frisco	9/6/2018	$550	1/14/2019		$0
04-Tyler	Longview	102944	Hawkins Creek Assisted Living and Memory Care Community	12/13/2018	$3,500	1/14/2019		$0
04-Tyler	Tyler	103159	Prestige Estates LLC	1/23/2019	$800	2/28/2019		$800
06-Houston	Houston	106919	The Village of River Oaks	12/6/2018	$400	12/6/2018		$400
06-Houston	Pasadena	000563	Pine Tree Acres	9/19/2018	$1,500	2/6/2019		$1,500
07-Austin	Austin	105702	Lou's House	11/5/2018	$3,500	3/4/2019		$3,500
08-San Antonio	Port Lavaca	102951	Trinity Shores of Port Lavaca	8/21/2018	$550	11/14/2018		$0
11-Corpus Christi	Corpus Christi	106554	Thrive Memory Care at Corpus Christi	2/22/2019	$15,000	2/22/2019		$15,000
Totals					**$25,800**			**$21,200**

8 Total assisted living facility administrative penalties imposed.

Notes:

1. The imposed column is the total amount of penalty after the state has reviewed and confirmed the administrative penalty citation and amount. This is the amount due and payable if there is no alternative amount resulting from an appeal held or settlement agreement reached.
2. The assessed column is the amount of penalty due after the appeal process has been completed (or an agreement to settle has been reached) and a final amount has been decided, or if the person charged consents to the penalty or does not respond timely to the notice of the penalty.
3. The balance column is the amount of penalty the facility owes. These amounts do not necessarily reflect the final amount the facility may owe. The amounts can change based on a hearing or negotiated settlement. An administrative penalty with a negative balance may indicate an overpayment or that the penalty was rescinded after payment.

Assisted Living Facility Injunctive/Other Relief and Civil Penalty Referrals to the Office of the Attorney General

HHSC did not refer any ALFs to the OAG for injunctive/other relief and civil penalties for FY 2019.

Unlicensed Facility Injunctive/Other Relief and Civil Penalty Referrals to the Office of the Attorney General

Region	City	Facility ID	Facility	Date Referred
03-Arlington	Arlington	104288	4904 Saddleback Road	11/29/2018
03-Arlington	Dalworthington Gardens	030230	St Josephs Haven Inc	11/01/2018
03-Arlington	Grand Prairie	105663	Accessible Living	11/29/2018
03-Arlington	Grand Prairie	105721	2904 Olympia Dr	11/29/2018
06-Houston	Houston	000835	Briardale Treatment Center	12/20/2018
06-Houston	Houston	106303	Graystone Life Care LLC	12/20/2018
06-Houston	Kingwood	105568	4131 Blue Forest Dr	02/27/2019
06-Houston	Kingwood	106901	12511 Brazos Bend Trl	02/27/2019
06-Houston	Rosenberg	107292	2614 Ave G	12/20/2018
06-Houston	Spring	102548	17505 Deer Creek Dr	12/18/2018

10 Total unlicensed facility injunctive/other relief and civil penalty referrals to the Office of the Attorney General.

Assisted Living Facility Amelioration of Violations

Region	City	Facility ID	Facility	Decision	Decision Date	Amount Ameliorated
04-Tyler	Longview	106015	Arabella of Longview	Approved	02/13/2019	$1,350

1 Total assisted living facility amelioration processed.

Assisted Living Facility Trusteeships Ordered

HHSC did not order any trustees placed in ALFs for FY 2019.

Assisted Living Facility Emergency Suspension and Closing Orders

HHSC did not issue any emergency suspension and closing orders related to ALFs for FY 2019.

Assisted Living Facility License Denials and Revocations

HHSC did not deny or revoke any licenses related to ALFs for FY 2019.

Assisted Living and Unlicensed Facility Complaint and Incident Intakes

Complaints

A complaint allegation is an assertion that a requirement of state licensure has been violated and can come directly from individuals or residents, family members, health care providers, advocates, law enforcement, or other state agencies. Report sources can be oral or written.

Incidents

An incident is an official notification to CII from an ALF provider that the physical or mental health or welfare of a resident has been or may be adversely affected by mistreatment, neglect, or abuse. These reports also include injuries of unknown source and exploitation or misappropriation of consumer or resident property.

Priority Assignment

CII evaluates each complaint based on its unique circumstances and assigns priorities accordingly. When timeliness is crucial to the health and safety of a resident(s), such as in a situation of heating or air conditioner equipment failure, alleged staff walkout, etc., an investigation can be initiated immediately by telephone, regardless of the priority code assignment. After the initial contact, each complaint is assigned a priority. These priorities are:

- Facility 24-hour
- Facility 14-day
- Facility 30-day
- Facility 45-day
- Professional review
- Withdrawn
- Not required

Facility 24-hour

Immediate response by regulatory investigators is warranted because a provider allegedly created or allowed a present and ongoing situation in which the provider's noncompliance with one or more requirements of licensure or certification has failed

to protect residents from abuse, neglect, or mistreatment or has caused, or is likely to cause, serious injury, harm, impairment or death to a resident.

Facility 14-day

The present or ongoing threat of continued abuse, neglect, or mistreatment has been removed. The resident is no longer in imminent danger; however, the provider's alleged noncompliance with one or more requirements of licensure or certification may have or has a high potential to cause harm that affects a resident's mental, physical, or psychosocial status and is of such consequence that a rapid response by LTCR is indicated. There is evidence or suspicion that system(s) failure contributed to or brought on the threat. Usually, specific rather than general information (e.g. descriptive identifiers, individual names, date, time, location of occurrence, description of harm) will factor into the assignment of this level of priority.

Facility 30-day

A provider's alleged noncompliance with one or more requirements of licensure or certification has caused or may cause harm that is of limited consequence and does not significantly impair the resident's mental, physical, or psychosocial status.

Facility 45-day

A provider's alleged noncompliance with one or more requirements of licensure or certification has a low potential for more than minimal harm or resulted in physical, mental, or psychosocial harm that did not directly affect resident health and safety and functional status. This priority may also be assigned for alleged violations of regulations that do not directly affect resident health and safety.

Professional Review

A provider who has cause to believe the physical or mental health or welfare of a resident has been or may be adversely affected by mistreatment, neglect, or abuse must self-report to CII immediately upon learning of the alleged conduct or conditions. This notice could include injuries of unknown source and exploitation or misappropriation of resident property.

CII staff assign a professional review priority when a provider self-reports an incident and the provider's oral report indicates that the provider's immediate

corrective action is reasonably likely to ensure that abuse, neglect, mistreatment, or injury to the resident will not occur again, or at least not while the provider conducts its investigation and professional quality assurance staff reviews the provider's written investigation report.

Based on review of the facility investigation report, if further investigation is warranted to assess whether the provider's abuse prohibition policies ensure compliance with regulatory requirements, the professional review unit will send notification to regulatory regional staff to schedule an on-site investigation.

Withdrawn

A complaint report filed with CII is withdrawn at the request of the complainant, except when harm to a resident alleged.

Not Required

CII determines it has no jurisdiction to investigate a complaint or a referral, or a report to another agency, board, or entity is required.

Assisted Living Facility All Intakes by Priority and Region

Intake Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	3	2	24	10	1	30	5	15	1	3	1	**95**
Facility 14-day	16	8	244	41	7	185	102	89	11	14	16	**733**
Facility 30-day	23	10	272	48	11	175	83	92	6	9	10	**739**
Facility 45-day	31	6	236	45	12	144	92	77	6	12	11	**672**
Professional Review	9	4	84	11	5	45	46	33	9	2	7	**255**
Withdrawn	0	1	5	0	1	1	0	1	0	0	0	**9**
Not Required	0	0	3	0	0	0	0	0	0	0	0	**3**
Total	**82**	**31**	**868**	**155**	**37**	**580**	**328**	**307**	**33**	**40**	**45**	**2,506**

Assisted Living Facility Complaints by Priority and Region

Complaint Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	2	1	21	9	1	25	5	11	1	3	0	**79**
Facility 14-day	6	4	123	15	3	100	37	52	7	4	5	**356**
Facility 30-day	11	9	181	32	7	99	42	62	4	8	6	**461**
Facility 45-day	16	2	99	17	4	54	31	34	1	7	3	**268**
Withdrawn	0	1	5	0	1	1	0	1	0	0	0	**9**
Not Required	0	0	0	0	0	0	0	0	0	0	0	**0**
Total	**35**	**17**	**429**	**73**	**16**	**279**	**115**	**160**	**13**	**22**	**14**	**1,173**

Assisted Living Facility Incidents by Priority and Region

Incident Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	1	1	3	1	0	5	0	4	0	0	1	**16**
Facility 14-day	10	4	121	26	4	85	65	37	4	10	11	**377**
Facility 30-day	12	1	91	16	4	76	41	30	2	1	4	**278**
Facility 45-day	15	4	137	28	8	90	61	43	5	5	8	**404**
Professional Review	9	4	84	11	5	45	46	33	9	2	7	**255**
Not Required	0	0	3	0	0	0	0	0	0	0	0	**3**
Total	**47**	**14**	**439**	**82**	**21**	**301**	**213**	**147**	**20**	**18**	**31**	**1,333**

Unlicensed Facility Complaint Intakes by Priority and Region

Intake Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	0	0	0	0	0	1	0	0	0	0	0	**1**
Facility 14-day	0	0	0	0	0	1	0	1	0	0	1	**3**
Facility 30-day	0	0	1	0	0	2	1	0	0	0	0	**4**
Facility 45-day	0	0	9	0	4	7	2	3	0	3	1	**29**
Withdrawn	0	0	0	0	0	0	0	0	0	0	0	**0**
Not Required	0	0	0	0	0	0	0	0	0	0	0	**0**
Total	**0**	**0**	**10**	**0**	**4**	**11**	**3**	**4**	**0**	**3**	**2**	**37**

Appendix B. Credentialing Programs

Credentialing Program Activity

LTCR operates the following programs related to the administration and operation of long-term care facilities during the first two quarters of state fiscal year (SFY) 2019:

- Nursing facility administrator licensing and investigation
- Medication aide permits
- Nurse Aide Training and Competency Evaluation
- Nurse aide certification
- Employee Misconduct Registry

Credentialing Program Counts by Fiscal Year

Credentialing Program	FY 2017	FY 2018	FY 2019
Licensed nursing facility administrators	2,112	2,174	2,206
Active medication aides	10,593	9,746	9,782
Approved Nurse Aide Training and Competency Evaluation Programs (facility-based)	310	302	276
Approved Nurse Aide Training and Competency Evaluation Programs (not facility-based)	615	595	572
Active certified nurse aides listed on the Nurse Aide Registry	115,427	114,920	113,634

Nursing Facility Administrator Program

Activity	Action	FY 2017	FY 2018	FY 2019
New licenses	Issued	166	159	77
License renewals (1)	Renewed	916	1,015	447
Provisional licenses	Issued	61	33	15
Referrals (2)	Received	255	161	55
Complaints against nursing facility administrators (3)	Received	2	1	3
New sanctions against administrator license	Imposed	41	69	26
Nursing facility administrators required sanctions	Fulfilled	35	89	12
Administrative penalties	Assessed	3	1	4

Activity	Action	FY 2017	FY 2018	FY 2019
National Association of Boards of Examiners of Long-term Care Administrators exams	Administered	155	139	66
State exams	Administered	171	156	72

Notes:

1. Nursing facility administrators are licensed for two years.
2. Nursing facility administrators are automatically referred to the regulatory professional credentialing enforcement unit for investigation when substandard quality of care or an immediate jeopardy is identified at a Medicaid- or Medicare-certified facility during their tenure.
3. Complaints received from the public.

Medication Aide Program

Activity	Action	FY 2017	FY 2018	FY 2019
New medication aide permits	Issued	1,124	1,197	509
Testing dates at schools	Scheduled	156	163	73
Initial exams	Administered	1,263	1,441	562
Retest dates	Scheduled	212	292	96
Permits	Renewed	9,469	9,222	4,472
Complaints	Received	14	2	3
Sanctions	Imposed	8	7	2

Nurse Aide Training and Competency Evaluation Program (NATCEP)

Activity	Action	FY 2017	FY 2018	FY 2019
New NATCEPs	Approved	152	134	61
NATCEPs	Renewed	311	177	59
NATCEPs withdrawn from participation	Withdrew	142	132	38
Competency Evaluation Programs	Approved	236	238	73

Nurse Aide Registry

Activity	Action	FY 2017	FY 2018	FY 2019
New nurse aides to program	Added	20,679	16,412	6,667
Nurse aides removed from active status	Removed	26,798	26,694	12,741
Nurse aides from expired status to active status	Returned	67,542	62,993	30,633
New misconduct referrals received/ processed	Processed	99	51	22
Employee misconduct cases	Dismissed	11	11	2
Employee misconduct cases	Revoked	74	47	21
Client contacts made by mail	Contacted	43,632	48,387	26,002
Public inquiries	Received	0	0	0
Client contacts made by telephone	Contacted	103,980	102,291	47,922

Employee Misconduct Registry

Activity	Action	FY 2017	FY 2018	FY 2019
New employee misconduct referrals	Processed	65	39	21
New unlicensed facility employees to the registry	Added	110	47	18
New unlicensed HCSSA, HCS or ICF/IID employees to the registry	Added	261	180	72

Appendix C. Day Activity and Health Services (DAHS) Facility

Day Activity and Health Services Facility Actions

The tables in this appendix contain information relating to Texas Human Resources Code, Title 6, Chapter 103, Day Activity and Health Services, facility actions, by category, for fiscal year (FY) 2019, quarters 1 and 2.

Administrative Penalties

Basis for Imposing

LTCR can assess an administrative penalty against a person who:

- Violates this chapter; a rule, standard or order adopted under this chapter; or a term of a license issued under this chapter.
- Makes a false statement, that the person knows or should know is false, of a material fact:
  - On an application for issuance or renewal of a license or in an attachment to the application.
  - With respect to a matter under investigation by the regulatory agency.
- Refuses to allow a representative of the agency to inspect:
  - A book, record, or file required to be maintained by a DAHS facility.
  - Any portion of the premises of a DAHS facility.
- Willfully interferes with the work of a representative of the agency or the enforcement of this chapter.
- Willfully interferes with a representative of the agency preserving evidence of a violation of this chapter or a rule, standard, or order adopted under this chapter or a term of a license issued under this chapter.
- Fails to pay a penalty assessed under this chapter before the 30th day after the date the assessment of the penalty becomes final.
- Fails to notify the agency of a change of ownership before the effective date of the change of ownership.

Imposed

An action can be recommended by:

- The regional survey or investigation team and supported during enforcement review.

- Regional or state office staff, considering the survey or investigation findings or evaluating the DAHS facility's history and performance.

LTCR imposes the action when the administrative penalty recommendation has been reviewed and confirmed by state office. The DAHS facility is formally notified of the administrative penalty citation and the penalty amount. Additionally, the notice includes information about the appeal process available to the DAHS provider.

Assessed

Penalties assessed are the final actions after the appeal process has been completed (or an agreement to settle has been reached) and a final amount has been decided, or if the person charged consents to the penalty or does not respond in a timely manner to the notice of the penalty. The provider is notified of the amount to be paid and the date payment is due. A lump-sum payment or a monthly payment plan may be agreed upon during the appeal or settlement process.

Injunctive or Other Relief Referrals to the Office of the Attorney General

Injunctive or other relief cases are referred to the OAG for action if the regulating agency finds a violation that creates an immediate threat to resident health and safety or the DAHS facility is operating without a license.

Emergency Suspension and Closing Orders

LTCR will suspend a DAHS facility's license or order an immediate closing of all or part of the DAHS facility if:

- The agency finds that the DAHS facility is operating in violation of the licensure rules.
- The violation creates an immediate threat to the health and safety of a resident.

The order suspending a license or closing a part of a DAHS facility is immediately effective on the date the license holder receives written notice or on a later date specified in the order. This suspension of a license may occur simultaneously with any other enforcement provision available to the agency. The order is valid for 10 days.

Denial of License

The regulating agency can deny a DAHS facility's license when the DAHS facility substantially fails to comply with certain rule requirements or the license holder aids, abets, or permits substantial violation of the rules; fails to provide required information or provides false or fraudulent information; fails to pay certain fees; the license holder has operated a DAHS facility that has been decertified or had its contract terminated, has been subject to sanctions, has a criminal conviction, has an unsatisfied final judgment, or has been evicted or had its license suspended; or any controlling person is subject to denial or refusal of a license as described in Texas Administrative Code, Title 26, Part 1, Chapter 560, Denial or Refusal of License.

Revocation of License

LTCR can revoke the license of a license holder who violates the rules or standards for licensing required by Texas Human Resources Code Chapter 103.

The agency also can revoke a license if the licensee submitted false or misleading statements in the application for license, used subterfuge or other evasive means to obtain a license, or concealed a material fact or failed to disclose information that would have been the basis to deny a license.

The revocation of a license can occur simultaneously with any other enforcement provision.

Day Activity and Health Services Facility Administrative Penalties

HHSC did not impose administrative penalties for any DAHS facilities for FY 2019.

Day Activity and Health Services Facility Injunctive or Other Relief Referrals to the Office of the Attorney General

HHSC did not refer any DAHS facilities to the OAG for injunctive/other relief for FY 2019.

Day Activity and Health Services Facility Emergency Closing Orders

HHSC did not issue any emergency closing orders for DAHS facilities for FY 2019.

Day Activity and Health Services Facility License Denial and Revocation

HHSC did not deny or revoke any licenses related to DAHS facilities for FY 2019.

Day Activity and Health Services Facility Complaint and Incident Intakes

Complaints

A complaint allegation is an assertion that a requirement of state licensure has been violated and can come directly from individuals or residents, family members, health care providers, advocates, law enforcement, or other state agencies. Report sources can be oral or written.

Incidents

An incident is an official notification to CII from a DAHS provider that the physical or mental health or welfare of a consumer has been or may be adversely affected by mistreatment, neglect or abuse. These reports also include injuries of unknown source and exploitation or misappropriation of consumer or resident property.

Priority Assignment

CII staff evaluates each complaint based on its unique circumstances and assigns priorities accordingly. When timeliness is crucial to consumer health and safety, such as in a situation of heating or air conditioner equipment failure, alleged staff walkout, etc., an investigation is initiated immediately by telephone, regardless of the priority code assignment. After the initial contact, each complaint is assigned a priority. These priorities are:

- Facility 24-hour
- Facility 14-day
- Facility 30-day
- Professional review
- Withdrawn
- Not required

Facility 24-hour

Immediate response by regulatory investigators is warranted because a provider allegedly created or allowed a present and ongoing situation in which the provider's noncompliance with one or more requirements of licensure or certification has failed to protect consumers from abuse, neglect, or mistreatment or has caused, or is likely to cause, serious injury, harm, impairment, or death to a consumer.

Facility 14-day

The present or ongoing threat of continued abuse, neglect, or mistreatment has been removed. The consumer(s) is no longer in imminent danger; however, the provider's alleged noncompliance with one or more requirements of licensure or certification may have or has a high potential to cause harm that impacts a consumer's mental, physical, or psychosocial status and is of such consequence that a rapid response by regulatory investigators is indicated. There is evidence or suspicion that system(s) failure contributed to or brought on the threat. Usually, specific rather than general information (e.g. descriptive identifiers, individual names, date, time, location of occurrence, description of harm) will factor into the assignment of this level of priority.

Facility 30-day

A provider's alleged noncompliance with one or more requirements of licensure or certification has caused or may cause harm that is of limited consequence and does not significantly impair the consumer's mental, physical, or psychosocial status.

Professional Review

A provider who has cause to believe the physical or mental health or welfare of a consumer(s) has been or may be adversely affected by mistreatment, neglect, or abuse must self-report to CII immediately upon learning of the alleged conduct or conditions. This notice could include injuries of unknown source and exploitation or misappropriation of consumer property.

CII staff assign a professional review priority when a provider self-reports an incident to CII and the provider's oral report indicates that the provider's immediate corrective action is reasonably likely to ensure that abuse, neglect, mistreatment or injury to the consumer(s) will not occur again, or at least not while the provider conducts its investigation and professional quality assurance staff reviews the provider's written investigation report.

Based on review of the facility investigation report, if further investigation is warranted to assess whether the provider's abuse prohibition policies ensure compliance with regulatory requirements, the professional review unit will send notification to regulatory regional staff to schedule an on-site investigation.

Withdrawn

A complaint report filed with CII is withdrawn at the request of the complainant, except when harm to a resident alleged.

Not Required

CII determines it has no jurisdiction to investigate a complaint or a referral, or a report to another agency, board, or entity is required.

Day Activity and Health Services Facility All Intakes by Priority and Region

Intake Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	0	0	0	0	0	0	0	3	0	0	1	**4**
Facility 14-day	1	0	0	0	0	5	2	14	0	2	32	**56**
Facility 30-day	7	0	8	0	0	6	2	26	0	17	116	**182**
Professional Review	0	0	3	0	0	1	0	0	0	3	9	**16**
Withdrawn	0	0	0	1	0	0	0	0	0	0	1	**2**
Not Required	0	0	1	0	0	0	0	0	0	0	8	**9**
Totals	**8**	**0**	**12**	**1**	**0**	**12**	**4**	**43**	**0**	**22**	**167**	**269**

Day Activity and Health Services Facility Complaints by Priority and Region

Complaint Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	0	0	0	0	0	0	0	3	0	0	1	**4**
Facility 14-day	1	0	0	0	0	4	2	13	0	0	28	**48**
Facility 30-day	2	0	5	0	0	6	2	24	0	11	89	**139**
Withdrawn	0	0	0	1	0	0	0	0	0	0	1	**2**
Not Required	0	0	0	0	0	0	0	0	0	0	0	**0**
Totals	**3**	**0**	**5**	**1**	**0**	**10**	**4**	**40**	**0**	**11**	**119**	**193**

Day Activity and Health Services Facility Incidents by Priority and Region

Incident Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	0	0	0	0	0	0	0	0	0	0	0	**0**
Facility 14-day	0	0	0	0	0	1	0	1	0	2	4	**8**
Facility 30-day	5	0	3	0	0	0	0	2	0	6	27	**43**
Professional Review	0	0	3	0	0	1	0	0	0	3	9	**16**
Not Required	0	0	1	0	0	0	0	0	0	0	8	**9**
Totals	**5**	**0**	**7**	**0**	**0**	**2**	**0**	**3**	**0**	**11**	**48**	**76**

Appendix D. Home and Community Support Services Agency (HCSSA)

Home and Community Support Services Agency Actions

The tables in this appendix contain information relating to Texas Health and Safety Code, Title 2, Subtitle G, Chapter 142, Home and Community Support Services, agency actions, by category for fiscal year (FY) 2019, quarters 1 and 2.

Administrative Penalties

Basis for Imposing

An administrative penalty can be assessed against a person who violates requirements of Texas Health and Safety Code Chapter 142 or Texas Administrative Code, Title 26, Part 1, Chapter 558, Licensing Standards for Home and Community Support Service Agencies, or Texas Occupations Code, Title 3, Subtitle A, Chapter 102, Solicitation of Patients.

Imposed

LTCR imposes the action when the administrative penalty recommendation has been reviewed and confirmed by state office. The HCSSA is formally notified of the administrative penalty citation and the penalty amount. Additionally, the notice includes information about the appeal process available to the agency.

Assessed

Penalties assessed are the final actions after the appeal process has been completed (or an agreement to settle has been reached) and a final amount and due date have been decided, or the person accepts the determination by the LTCR or fails to respond to the notice letter in a timely manner. The HCSSA is notified of the amount to be paid and the date payment is due. A lump-sum payment or a monthly payment plan can be agreed upon during the appeal or settlement process.

Denials of License Application

LTCR can deny a license for any of the reasons specified in Texas Administrative Code Title 26 §558.21 (relating to denial of an application for a license), such as:

- Failure to comply with the statute.
- Failure to comply with the licensure requirements.
- Knowingly aiding, abetting, or permitting another person to violate the statute or licensure requirements.
- Failure to meet the criteria for a license established in Texas Administrative Code Title 26 §558.11 (relating to criteria and eligibility for licensing).

Denials of License Renewal

LTCR also can deny the application to renew a license of an existing HCSSA.

Expirations of License (in Lieu of Enforcement Actions)

Instead of pursuing additional enforcement actions, LTCR can choose to allow a HCSSA to let its license expire.

Immediate Suspensions

The suspension of a HCSSA license can be on an emergency basis. The suspension is effective immediately and is in effect until lifted. The agency is provided an opportunity for a hearing no later than seven days after the effective date of the suspension.

Surrenders of License (in Lieu of Enforcement Actions)

LTCR can offer an agency the option to surrender its license, instead of receiving additional enforcement actions.

License Revocations

The regulating agency can revoke a license issued to an applicant or agency if the applicant or agency:

- Fails to comply with any provision of Texas Health and Safety Code Chapter 142.
- Fails to comply with any provision of Texas Administrative Code Title 26, Chapter 558.

- Engages in conduct that violates Texas Occupations Code Chapter 102.

Home and Community Support Services Agency Administrative Penalties

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
01-Lubbock	Amarillo	002118	Caprock Home Health Services Inc	08/28/2018	$500	12/07/2018		$0
01-Lubbock	Amarillo	009484	Encompass Health Home Health	11/16/2018	$750	12/07/2018		$0
01-Lubbock	Amarillo	014315	NurseCore of Amarillo	10/19/2018	$3,750	02/26/2019		$3,750
01-Lubbock	Amarillo	016709	Visiting Angels	08/02/2018	$750	12/07/2018		$0
01-Lubbock	Amarillo	016709	Visiting Angels	01/02/2019	$750	02/15/2019		$750
01-Lubbock	Dalhart	005693	Coon Memorial Hospital Home Care	05/16/2018	$750	09/12/2018	$750	$0
01-Lubbock	Littlefield	009857	Legacy of Love Hospice	10/16/2018	$5,250	01/15/2019		$0
01-Lubbock	Littlefield	009857	Legacy of Love Hospice	11/28/2018	$3,750	01/29/2019		$0
01-Lubbock	Lubbock	015236	Best In Home Care LLC	11/15/2018	$750	12/07/2018		$0
01-Lubbock	Lubbock	001401	Caprock Home Health Services Inc	07/19/2018	$1,500	11/08/2018		$0
01-Lubbock	Lubbock	007152	Cuidado Casero Home Health Lubbock	08/02/2018	$750	12/07/2018		$750
01-Lubbock	Lubbock	002112	Direct Health Care Inc	09/21/2018	$750	12/07/2018		$0
01-Lubbock	Lubbock	015691	Educare Community Living Corporation Texas	07/12/2018	$9,750	01/15/2019		$9,750
01-Lubbock	Lubbock	004822	Essential Home Health	09/25/2018	$750	12/07/2018		$0
01-Lubbock	Lubbock	016805	Hospice of the South Plains	07/17/2018	$750	11/08/2018		$0
01-Lubbock	Lubbock	007788	Interim Healthcare of West Texas LLC	07/19/2018	$750	11/08/2018		$0
01-Lubbock	Lubbock	010522	Interim Hospice of West Texas	06/22/2018	$1,500	10/25/2018		$0

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
01-Lubbock	Lubbock	010522	Interim Hospice of West Texas	08/22/2018	$800	12/07/2018		$0
01-Lubbock	Lubbock	013601	Phoenix Health Care	10/17/2018	$2,250	12/07/2018		$0
02-Abilene	Abilene	002613	Hendrick Hospice Care Inc	11/02/2018	$750	12/07/2018		$0
02-Abilene	Abilene	011268	Jordan Health Services, A Part of the Elara Caring Network	08/30/2018	$750	12/07/2018		$0
02-Abilene	Abilene	017913	Kinder Hearts Home Health	08/09/2018	$750	02/15/2019		$750
02-Abilene	Abilene	007334	Outreach Home Care	05/31/2018	$750	09/12/2018	$750	$0
02-Abilene	Ballinger	015166	Hospice of Ballinger	10/19/2018	$2,250	02/26/2019		$2,250
02-Abilene	Comanche	018683	Above and Beyond Compassionate Care	12/13/2018	$7,000	02/15/2019		$7,000
02-Abilene	Graham	016109	Graham Regional Hospice	07/25/2018	$750	11/30/2018		$0
02-Abilene	Nocona	002171	Nocona General Hospital Home and Community Support Service Agency	07/12/2018	$750	10/25/2018	$750	$0
02-Abilene	Wichita Falls	015831	Encompass Health Home Health	05/22/2018	$1,500	09/12/2018	$1,500	$0
02-Abilene	Wichita Falls	006260	Healthpro Primary Home Care	10/03/2018	$7,750	01/29/2019		$7,750
02-Abilene	Wichita Falls	001947	Hospice of Wichita Falls	09/21/2018	$750	12/07/2018		$0
02-Abilene	Wichita Falls	015894	Visiting Angels	05/21/2018	$750	09/12/2018	$750	$0
02-Abilene	Winters	003174	North Runnels Home Health Agency	08/30/2018	$3,000	01/29/2019		$0
03-Arlington	Addison	017091	Home Care Assistance of Dallas	09/21/2018	$3,500	01/29/2019		$0
03-Arlington	Addison	013823	Silverado at Home - Dallas	09/06/2018	$2,500	02/15/2019		$2,500
03-Arlington	Allen	011508	Assurance at Home	07/11/2018	$1,750	10/25/2018	$1,750	$0
03-Arlington	Allen	149280	The Heritage at Twin Creeks	06/05/2018	$1,200	02/06/2019		$0

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
03-Arlington	Arlington	011502	1st Prudential Health Care Services Inc	05/25/2018	$750	09/12/2018	$750	$0
03-Arlington	Arlington	015515	A Nurse Angels Home Health Inc	07/25/2018	$3,500	01/29/2019		$3,500
03-Arlington	Arlington	007235	HCI Services	06/20/2018	$2,500	09/26/2018		$2,500
03-Arlington	Arlington	018128	Jordan Health Services	07/05/2018	$2,250	11/30/2018		$0
03-Arlington	Arlington	011105	KM Home Health Services	08/20/2018	$2,750	01/15/2019		$2,750
03-Arlington	Arlington	009477	Prudential Health Care Services Inc	07/10/2018	$2,750	10/25/2018	$2,750	$2,750
03-Arlington	Burleson	011789	DFW Senior Care Services Inc	10/03/2018	$3,250	02/15/2019		$3,250
03-Arlington	Burleson	016362	PSA Healthcare	08/08/2018	$1,500	01/15/2019		$0
03-Arlington	Carrollton	017952	Loved Ones Honored Home Care	07/12/2018	$1,500	10/25/2018	$1,500	$1,500
03-Arlington	Cedar Hill	008103	Angels Home Health Agency	06/12/2018	$500	11/08/2018		$0
03-Arlington	Dallas	009587	Aaron Home Health Care Services Inc	11/05/2018	$500	02/15/2019		$500
03-Arlington	Dallas	011616	Acappella in Home Care	09/10/2018	$750	01/15/2019		$0
03-Arlington	Dallas	008631	Alliance A-plus Home Health Care Inc	07/26/2018	$500	11/08/2018		$0
03-Arlington	Dallas	017520	Alliance United Hospice Care LLC	02/20/2018	$500	11/30/2018		$500
03-Arlington	Dallas	008770	Allied Home Health Agency	11/05/2018	$750	01/15/2019		$750
03-Arlington	Dallas	015807	Amaris Health Care Inc.	08/07/2018	$3,000	01/15/2019		$3,000
03-Arlington	Dallas	018053	Believing in Our Future Inc	10/24/2018	$5,000	01/15/2019		$5,000
03-Arlington	Dallas	014784	CJ Primary Home Care	08/15/2018	$1,500	12/18/2018		$1,500
03-Arlington	Dallas	015335	Compass Hospice of Dallas	07/27/2018	$2,250	11/30/2018		$0

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
03-Arlington	Dallas	013262	Fundamental Care Home Health Agency Inc	06/06/2018	$2,250	10/25/2018	$2,250	$0
03-Arlington	Dallas	015732	Goodcare Home Health Agency	07/03/2018	$2,500	10/25/2018	$2,500	$1,500
03-Arlington	Dallas	018138	Heart to Heart Hospice of Dallas	08/01/2018	$500	12/18/2018		$500
03-Arlington	Dallas	008936	Home Care Providers of Texas	10/26/2018	$1,500	02/15/2019		$1,500
03-Arlington	Dallas	013567	Ivory Home Health Agency Inc	06/12/2018	$1,500	10/25/2018	$1,500	$1,500
03-Arlington	Dallas	015565	Lakeview Primary Homecare LLC	06/14/2018	$3,750	11/08/2018		$0
03-Arlington	Dallas	017967	Optimal Alliance Home Care LLC	05/14/2018	$750	09/12/2018	$750	$750
03-Arlington	Dallas	012068	Relief Home Healthcare Services Inc	09/28/2018	$1,750	02/26/2019		$1,750
03-Arlington	Dallas	013826	Sana Healthcare Inc	06/25/2018	$1,750	11/30/2018		$1,750
03-Arlington	Dallas	018025	Unity First Home Health Agency	07/17/2018	$3,500	01/15/2019		$3,500
03-Arlington	Dallas	012434	Visiting Angels	07/11/2018	$4,000	01/15/2019		$0
03-Arlington	Dallas	012719	X-Tra Health Care Services Inc	09/14/2018	$1,000	01/15/2019		$0
03-Arlington	Desoto	012192	AJ Home Health Services Inc	08/15/2018	$3,000	12/18/2018		$3,000
03-Arlington	Duncanville	016052	Advance Health Care	11/30/2018	$500	02/15/2019		$500
03-Arlington	Farmer Branch	016647	Elite Comfort Home Health	08/15/2018	$500	02/15/2019		$500
03-Arlington	Farmer Branch	016647	Elite Comfort Home Health	08/15/2018	$3,000	12/18/2018		$3,000
03-Arlington	Farmer Branch	016647	Elite Comfort Home Health	09/14/2018	$3,750	12/18/2018		$3,750
03-Arlington	Fort Worth	016710	Compassus - Fort Worth	06/15/2018	$2,000	11/30/2018		$0
03-Arlington	Fort Worth	007277	Divine Care Health Services	10/12/2018	$500	11/08/2018		$0
03-Arlington	Fort Worth	007277	Divine Care Health Services	11/16/2018	$500	02/15/2019		$500
03-Arlington	Fort Worth	011801	First Response Home Health Services LLC	09/25/2018	$1,250	02/15/2019		$1,250

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
03-Arlington	Fort Worth	018113	Hamro Homehealthcare LLC	08/31/2018	$3,750	01/15/2019		$3,750
03-Arlington	Fort Worth	008771	In Home Care	09/14/2018	$2,000	10/25/2018	$2,000	$2,000
03-Arlington	Fort Worth	008771	In Home Care	10/11/2018	$2,250	11/30/2018		$2,250
03-Arlington	Fort Worth	017900	Nurse Next Door Fort Worth	07/30/2018	$2,000	01/29/2019		$2,000
03-Arlington	Fort Worth	018030	Sincerely Home Health Services	09/05/2018	$800	01/29/2019		$800
03-Arlington	Fort Worth	014700	Synergy Homecare DFW	05/21/2018	$750	09/12/2018	$750	$750
03-Arlington	Garland	017710	JMAC In-Home Care	11/15/2018	$500	12/05/2018	$500	$500
03-Arlington	Garland	010352	Ultimate Home Health Care	08/06/2018	$1,500	01/15/2019		$0
03-Arlington	Grand Prairie	012416	Advent Home Care	07/26/2018	$2,250	11/30/2018		$0
03-Arlington	Grand Prairie	016021	Hofmeir Home Care & Management Inc	05/03/2018	$1,250	09/12/2018		$0
03-Arlington	Grand Prairie	014956	J & C Homecare Agency	09/11/2018	$500	01/15/2019		$0
03-Arlington	Grand Prairie	012771	Safeway Healthcare Services Inc	05/31/2018	$1,250	09/12/2018	$1,250	$0
03-Arlington	Grand Prairie	010313	United Comfort Healthcare Incorporated	12/13/2018	$1,500	02/26/2019		$1,500
03-Arlington	Grapevine	014255	Encompass Health Home Health	09/14/2018	$500	12/07/2018		$0
03-Arlington	Hurst	014241	Nightingale Home Healthcare of North Texas Inc	05/29/2018	$4,250	10/25/2018	$4,250	$4,250
03-Arlington	Hurst	011903	Premier Health Care Services II	12/20/2018	$1,000	02/15/2019		$1,000
03-Arlington	Irving	006717	Aria Home Health Inc	10/09/2018	$1,500	02/15/2019		$1,500
03-Arlington	Irving	006717	Aria Home Health Inc	11/12/2018	$1,000	02/15/2019		$1,000
03-Arlington	Irving	149770	Centre For Neuro Skills		$1,350	10/18/2018		$0
03-Arlington	Irving	011037	Seasons Hospice & Palliative Care of Texas Inc	05/14/2018	$1,000	09/12/2018	$1,000	$1,000

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
03-Arlington	Irving	147620	Silverado Senior Living - Valley Ranch		$1,200	10/18/2018		$0
03-Arlington	Irving	018003	Synergy Homecare	07/26/2018	$750	11/30/2018		$0
03-Arlington	Lancaster	008812	Angels of Hands Home Health Agency Corp	09/20/2018	$3,500	01/15/2019		$3,500
03-Arlington	Mesquite	007967	Aging Gracefully Network LLC	10/17/2018	$6,750	01/15/2019		$6,750
03-Arlington	Mesquite	014585	Winners Wellness Services Inc	10/02/2018	$3,000	01/15/2019		$3,000
03-Arlington	Muenster	002722	Muenster Memorial Hospital Home Care	10/17/2018	$1,250	01/29/2019		$1,250
03-Arlington	North Richland Hills	015423	Freedom Hospice	05/24/2018	$750	09/12/2018	$750	$750
03-Arlington	North Richland Hills	015423	Freedom Hospice	06/29/2018	$2,300	11/30/2018		$2,300
03-Arlington	Plano	018071	1st Fruits Home Care LLC	09/04/2018	$500	12/18/2018		$500
03-Arlington	Plano	018071	1st Fruits Home Care LLC	09/27/2018	$500	01/29/2019		$500
03-Arlington	Plano	017955	Comforting Angels Home Health Care LLC	07/24/2018	$1,000	11/08/2018		$1,000
03-Arlington	Plano	008907	Dove Home Care LLC	12/06/2018	$500	01/02/2019		$0
03-Arlington	Plano	010077	GentleCare Home Health	05/25/2018	$2,250	09/12/2018		$0
03-Arlington	Plano	014915	Visiting Angels	05/11/2018	$2,250	09/12/2018	$2,250	$2,250
03-Arlington	Richardson	017430	A Friendly Palliative and Hospice Care LLC	07/19/2018	$2,500	11/30/2018		$0
03-Arlington	Richardson	145107	Ability Connection Texas Wentworth House		$128,000	10/19/2018	$10,000	$10,000
03-Arlington	Richardson	010118	My Redeemer Healthcare Services and Consult LLC	07/16/2018	$1,500	11/30/2018		$0

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
03-Arlington	Richardson	011296	Reliant Healthcare Services	08/14/2018	$1,500	01/15/2019		$0
03-Arlington	Sherman	010691	Angels of Care Pediatric Home Health	07/20/2018	$1,000	11/08/2018		$0
03-Arlington	Terrell	011476	Risesun Care Home Health	08/29/2018	$2,750	02/26/2019		$2,750
04-Tyler	Athens	015957	Genesis Extracare LLC	08/09/2018	$750	12/18/2018		$0
04-Tyler	Longview	007586	Texas Home Health of America	08/10/2018	$750	12/18/2018		$0
04-Tyler	Longview	018168	Texas Home Health Skilled Services	06/29/2018	$500	10/25/2018	$500	$500
04-Tyler	Paris	009496	Premier Home Care & Rehab/premier Hospice	08/15/2018	$1,500	12/18/2018		$1,500
04-Tyler	Paris	018405	Thrive Skilled Pediatric Care	07/31/2018	$1,500	11/30/2018		$0
04-Tyler	Texarkana	009660	Cornerstone Home Health Services	05/31/2018	$1,500	09/12/2018	$1,500	$0
04-Tyler	Texarkana	018419	Seniors 4 Senior Care of America	09/25/2018	$2,000	02/15/2019		$2,000
04-Tyler	Tyler	015986	Heart to Heart Hospice of Tyler Ltd	07/09/2018	$750	11/30/2018		$0
04-Tyler	Tyler	012918	Maxim Healthcare Services Inc	06/13/2018	$500	10/25/2018	$500	$0
04-Tyler	Tyler	142302	The Waterton Healthcare & Rehabilitation		$45,000	10/19/2018		$0
05-Beaumont	Beaumont	013275	Synergy Homecare Southeast Texas	05/24/2018	$1,500	10/25/2018	$1,500	$1,500
05-Beaumont	Beaumont	010904	Texas Home Health Hospice	09/17/2018	$500	02/15/2019		$500
05-Beaumont	Lufkin	015764	Heart to Heart Hospice of Lufkin LLC	08/29/2018	$750	02/15/2019		$750
06-Houston	Alvin	015341	Reliable Home Care	10/03/2018	$750	01/29/2019		$0

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
06-Houston	Baytown	012378	Harbor Hospice of Baytown LP	09/20/2018	$750	12/18/2018		$750
06-Houston	Bellaire	011753	Girling Community Care Texas by Harden Healthcare	07/09/2018	$750	11/30/2018		$0
06-Houston	Bellaire	011738	Kindred at Home	05/17/2018	$1,500	09/12/2018	$1,500	$0
06-Houston	Clute	009576	Coastal Staff Relief Inc	09/28/2018	$2,250	01/15/2019		$0
06-Houston	Conroe	017582	Village Green Angels	06/06/2018	$2,250	10/25/2018		$0
06-Houston	Cypress	017946	Hearts at Home Senior Care	06/06/2018	$1,000	09/26/2018	$1,000	$0
06-Houston	Friendswood	011667	City Crown Home Health Agency Inc	08/17/2018	$500	12/07/2018		$0
06-Houston	Friendswood	012536	Residential Home Health Services LLC	10/04/2018	$750	02/15/2019		$750
06-Houston	Friendswood	017907	Sitting Saints LLC	08/29/2018	$550	01/29/2019		$0
06-Houston	Fulshear	010169	The Colony Health Services Inc	06/11/2018	$3,000	10/25/2018		$3,000
06-Houston	Galveston	007750	Texas Home Health Skilled Services	11/09/2018	$750	02/15/2019		$750
06-Houston	Hempstead	006878	Prime Care Medical Services	07/11/2018	$2,000	10/25/2018		$0
06-Houston	Houston	013280	1st American Choice Home Health Care Services LLC	01/04/2019	$500	02/26/2019		$500
06-Houston	Houston	017851	1st American Health Source	05/17/2018	$6,250	09/12/2018	$6,250	$6,250
06-Houston	Houston	010097	A & R Healthcare Services Inc	08/02/2018	$3,000	02/15/2019		$3,000
06-Houston	Houston	011356	A Better Homecare	05/25/2018	$750	09/12/2018	$750	$0
06-Houston	Houston	017912	A Pillar of Caring Hearts Personal Assistance Services	09/11/2018	$1,500	12/18/2018		$1,500
06-Houston	Houston	017912	A Pillar of Caring Hearts Personal Assistance Services	09/12/2018	$1,000	12/18/2018		$1,000
06-Houston	Houston	017841	Abbis Care Team	05/18/2018	$1,500	09/12/2018		$1,500

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
06-Houston	Houston	017933	Activecare Provider Services	08/16/2018	$2,250	01/15/2019		$2,250
06-Houston	Houston	017564	Acute Hospice Care LLC	06/05/2018	$500	09/26/2018	$500	$500
06-Houston	Houston	017564	Acute Hospice Care LLC	08/01/2018	$4,000	02/15/2019		$4,000
06-Houston	Houston	012875	Agape Provider Services Inc	05/17/2018	$2,000	09/12/2018	$1,300	$0
06-Houston	Houston	010069	All Nations Home Health Services Inc	12/19/2018	$1,250	02/26/2019		$1,250
06-Houston	Houston	013629	Anarcare Home Health Agency Inc	10/18/2018	$1,500	02/15/2019		$1,500
06-Houston	Houston	010876	Angels on Call Home Care	10/04/2018	$2,000	01/15/2019		$2,000
06-Houston	Houston	017929	Anuyu Health Care Agency	09/24/2018	$1,500	12/07/2018		$1,500
06-Houston	Houston	007603	Assist- Med Inc	07/19/2018	$3,500	11/08/2018		$0
06-Houston	Houston	007603	Assist- Med Inc	11/05/2018	$750	02/15/2019		$750
06-Houston	Houston	013884	AssuranceJ Homecare Services Inc	07/26/2018	$700	11/30/2018		$0
06-Houston	Houston	011546	At Your Side Home Care West Houston	09/13/2018	$3,900	01/29/2019		$3,900
06-Houston	Houston	014985	Aveanna Healthcare	07/03/2018	$2,250	10/25/2018		$0
06-Houston	Houston	014985	Aveanna Healthcare	11/30/2018	$2,000	02/15/2019		$2,000
06-Houston	Houston	012555	Beneficient Healthcare	10/08/2018	$1,500	12/07/2018		$0
06-Houston	Houston	013719	Blakes Blessing Health Care Inc	09/27/2018	$750	02/26/2019		$750
06-Houston	Houston	012876	Brookdale at Home Houston	10/18/2018	$1,000	12/18/2018		$0
06-Houston	Houston	017724	Care Take Home Health Inc	07/20/2018	$500	11/08/2018		$0
06-Houston	Houston	017927	Care Team Provider	07/25/2018	$1,500	01/15/2019		$1,500
06-Houston	Houston	017927	Care Team Provider	09/06/2018	$1,750	01/15/2019		$1,750
06-Houston	Houston	017655	Caregivers Health Care	08/31/2018	$500	12/07/2018		$500

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06-Houston	Houston	018035	Caring Hands at Home	10/11/2018	$2,000	01/29/2019		$2,000
06-Houston	Houston	017834	Caring Hospice LLC	07/27/2018	$700	11/30/2018		$700
06-Houston	Houston	015814	Caritas Health Care LLC	03/19/2018	$1,500	11/30/2018		$1,500
06-Houston	Houston	007085	CCR Inc Home Health	06/22/2018	$3,000	11/30/2018		$3,000
06-Houston	Houston	015322	Children's Home Care	10/18/2018	$750	12/18/2018		$0
06-Houston	Houston	010238	Circuit Wide Healthcare Inc	08/28/2018	$1,750	01/29/2019		$1,750
06-Houston	Houston	017814	City 2 City	06/06/2018	$2,000	10/25/2018		$2,000
06-Houston	Houston	015055	Citycaring Healthcare LLC	09/12/2018	$2,750	02/15/2019		$2,750
06-Houston	Houston	011248	CNI Homecare Inc	07/25/2018	$1,500	12/18/2018		$0
06-Houston	Houston	013696	Codified Medical Services	08/01/2018	$1,250	01/15/2019		$1,250
06-Houston	Houston	013587	Creation Health Management Inc	08/09/2018	$2,250	01/29/2019		$2,250
06-Houston	Houston	008421	Diversified Health Care Inc	09/26/2018	$1,000	02/26/2019		$1,000
06-Houston	Houston	010672	Divine Home Health Care	06/22/2018	$750	11/30/2018		$750
06-Houston	Houston	013836	Duracare Home Health Services Inc	11/06/2018	$2,250	01/15/2019		$0
06-Houston	Houston	013860	Dynamic Home Health Services	11/29/2018	$750	02/15/2019		$750
06-Houston	Houston	018515	Elik Dialysis Home Therapy - Memorial Inc	07/19/2018	$1,000	12/18/2018		$0
06-Houston	Houston	015632	Empathy Health Care Inc	08/21/2018	$1,750	01/15/2019		$1,750
06-Houston	Houston	009508	Encompass Health Home Health	10/12/2018	$2,250	01/29/2019		$0
06-Houston	Houston	015693	Encompass Health Hospice	10/25/2018	$3,750	02/15/2019		$3,750
06-Houston	Houston	012705	Famcare Home Health Services Inc.	07/10/2018	$750	11/30/2018		$0
06-Houston	Houston	008943	Favor Healthcare Inc	06/28/2018	$1,500	11/30/2018		$750

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
06-Houston	Houston	008913	Fidelity Care Home Health	08/02/2018	$750	12/18/2018		$750
06-Houston	Houston	008744	Fountain Home Health	07/18/2018	$500	11/30/2018		$0
06-Houston	Houston	015455	Garden Healthcare Services Corporation	05/10/2018	$750	09/12/2018		$750
06-Houston	Houston	015455	Garden Healthcare Services Corporation	09/12/2018	$1,500	01/29/2019		$1,500
06-Houston	Houston	009885	Gaspy Home Healthcare Inc	09/18/2018	$750	01/15/2019		$750
06-Houston	Houston	014855	Golden Acres Home Health	09/28/2018	$2,250	02/15/2019		$2,250
06-Houston	Houston	011157	GraceFaith Healthcare Services Inc	11/01/2018	$4,000	02/26/2019		$4,000
06-Houston	Houston	010040	Gracefull Home Health Inc	07/25/2018	$1,000	12/18/2018		$0
06-Houston	Houston	005321	Guardian Care Home Health	08/09/2018	$1,750	01/15/2019		$1,750
06-Houston	Houston	015201	Harbor House	09/06/2018	$2,850	01/29/2019		$0
06-Houston	Houston	011925	Health Link Professionals Inc	08/08/2018	$3,750	02/15/2019		$3,750
06-Houston	Houston	014051	Home Care Assistance	06/08/2018	$1,500	10/25/2018		$0
06-Houston	Houston	018472	Homewatch Caregivers of Houston Galleria	06/07/2018	$500	09/26/2018		$0
06-Houston	Houston	008510	Hope Personal Assistance Services	05/17/2018	$750	09/26/2018		$0
06-Houston	Houston	007865	Horizon Home Health Care	07/12/2018	$2,250	10/25/2018		$2,250
06-Houston	Houston	015018	Immaculate Home Care	09/11/2018	$750	01/29/2019		$750
06-Houston	Houston	017979	Jaeg Bright Medical Services Inc	07/27/2018	$3,000	12/07/2018		$2,250
06-Houston	Houston	016736	Joint Health Care Services Inc	11/28/2018	$5,000	02/15/2019		$5,000
06-Houston	Houston	008407	Josh Healthcare Services Inc	05/09/2018	$1,500	11/30/2018		$1,500
06-Houston	Houston	012008	Just Real Kare	06/22/2018	$6,000	10/25/2018		$0

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
06-Houston	Houston	014835	Kellie's Sitting Services Inc	10/04/2018	$3,500	02/26/2019		$3,500
06-Houston	Houston	014961	Kingsley Home Care Inc	07/19/2018	$1,000	01/15/2019		$1,000
06-Houston	Houston	017890	Lakefront Care Inc	08/09/2018	$3,000	01/29/2019		$3,000
06-Houston	Houston	017734	Lanorah's Personal Care	06/07/2018	$500	11/12/2018		$500
06-Houston	Houston	010549	Lifecare Health Services LLC	05/04/2018	$750	09/12/2018	$750	$0
06-Houston	Houston	010549	Lifecare Health Services LLC	07/13/2018	$1,500	10/25/2018		$1,500
06-Houston	Houston	007087	Loyal Home Health Care Agency	05/16/2018	$1,500	09/26/2018	$1,500	$0
06-Houston	Houston	006749	Lucky Health Care Services Inc	05/17/2018	$2,250	10/25/2018		$0
06-Houston	Houston	011389	Memorial Hermann Hospice	10/25/2018	$1,500	02/26/2019		$1,500
06-Houston	Houston	018038	Mercris Home Health Inc	10/18/2018	$1,500	02/15/2019		$1,500
06-Houston	Houston	008935	Mercy Healthcare Services Inc	05/18/2018	$750	10/25/2018		$0
06-Houston	Houston	012697	Miracle Hands Healthcare Services Corporation	05/29/2018	$750	09/12/2018	$750	$0
06-Houston	Houston	012697	Miracle Hands Healthcare Services Corporation	08/10/2018	$2,350	12/07/2018		$1,958
06-Houston	Houston	012697	Miracle Hands Healthcare Services Corporation	08/24/2018	$4,500	12/07/2018		$3,750
06-Houston	Houston	015316	Mother Love Health Care Services	08/30/2018	$500	01/15/2019		$500
06-Houston	Houston	013512	Mount Sinai Home Care	10/11/2018	$1,500	01/15/2019		$1,500
06-Houston	Houston	011666	Nelo Health Care Services Inc	11/08/2018	$3,000	02/15/2019		$3,000
06-Houston	Houston	017924	Nexxus Caregivers LLC	05/22/2018	$750	09/12/2018		$0
06-Houston	Houston	009546	Noel Home Health Agency Inc	07/20/2018	$1,000	12/18/2018		$0
06-Houston	Houston	013588	North Houston Healthcare Services Inc	09/28/2018	$1,500	02/15/2019		$1,500

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06-Houston	Houston	010083	Olive Branch Health Services Inc	05/25/2018	$1,500	10/25/2018		$0
06-Houston	Houston	006580	Optimal In Home Care	05/10/2018	$1,500	09/26/2018		$1,500
06-Houston	Houston	013372	Paradigm Home Health Solutions PLLC	04/30/2018	$750	10/25/2018		$750
06-Houston	Houston	013259	Pediatric Therapy Solutions	08/23/2018	$8,550	02/15/2019		$8,550
06-Houston	Houston	018021	Personal Care Health Services	09/05/2018	$500	01/15/2019		$500
06-Houston	Houston	008656	Prestige Living Center Inc	08/09/2018	$3,000	01/29/2019		$3,000
06-Houston	Houston	011742	Primetime Home Health Services Inc	08/15/2018	$2,250	01/15/2019		$0
06-Houston	Houston	017807	Quickstep Healthcare LLC	08/08/2018	$2,500	12/18/2018		$2,500
06-Houston	Houston	008965	Redemption Home Health Services Inc	09/27/2018	$750	02/15/2019		$750
06-Houston	Houston	017921	Regional Hospice Inc	07/10/2018	$2,500	12/18/2018		$2,500
06-Houston	Houston	008301	Resource Health Care Inc	10/02/2018	$2,000	02/15/2019		$2,000
06-Houston	Houston	008301	Resource Health Care Inc	10/05/2018	$1,500	01/15/2019		$1,500
06-Houston	Houston	007241	Resource Home Health Services	05/18/2018	$1,500	09/12/2018	$1,500	$1,500
06-Houston	Houston	007241	Resource Home Health Services	06/08/2018	$4,500	10/25/2018		$4,500
06-Houston	Houston	011098	Rhythmic Home Health Care Services Inc	09/11/2018	$1,750	01/15/2019		$1,750
06-Houston	Houston	011098	Rhythmic Home Health Care Services Inc	11/06/2018	$1,750	02/15/2019		$1,750
06-Houston	Houston	014939	Seasons Hospice & Palliative Care of Texas - Houston LLC	06/14/2018	$1,000	09/26/2018		$0
06-Houston	Houston	014939	Seasons Hospice & Palliative Care of Texas - Houston LLC	08/31/2018	$2,250	01/15/2019		$2,250
06-Houston	Houston	017678	Senior Helpers North Houston	09/06/2018	$1,000	01/29/2019		$1,000

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06-Houston	Houston	017829	Shields Healthcare Services PLLC	09/20/2018	$1,500	01/29/2019		$1,500
06-Houston	Houston	013824	Silverado at Home - Houston	08/30/2018	$1,500	01/15/2019		$1,500
06-Houston	Houston	013892	Silverado Hospice - North Houston	11/01/2018	$500	12/18/2018		$0
06-Houston	Houston	011346	St Martin Healthcare Services LLC	10/19/2018	$1,500	02/26/2019		$1,500
06-Houston	Houston	009600	Star Home Health Inc	05/25/2018	$750	09/12/2018	$750	$750
06-Houston	Houston	011840	Starpoint Health Services Inc	06/22/2018	$500	10/25/2018		$0
06-Houston	Houston	017457	Strength Within LLC	08/15/2018	$1,500	12/07/2018		$1,500
06-Houston	Houston	017857	Sumar Healthcare Services Inc	09/11/2018	$2,000	01/29/2019		$2,000
06-Houston	Houston	007959	Tawl Health Care Inc	10/04/2018	$1,500	02/15/2019		$1,500
06-Houston	Houston	011195	Texas Healthsource Inc	10/11/2018	$1,000	01/15/2019		$1,000
06-Houston	Houston	007607	Texas Home Health of America	05/30/2018	$2,250	10/25/2018		$0
06-Houston	Houston	017881	Thrive Skilled Pediatric Care	06/21/2018	$750	10/25/2018		$0
06-Houston	Houston	018758	TLC Homecare	05/24/2018	$750	09/26/2018	$750	$0
06-Houston	Houston	018758	TLC Homecare	07/25/2018	$1,000	01/15/2019		$1,000
06-Houston	Houston	008739	Tobi Health Care Services Inc	09/28/2018	$1,500	01/29/2019		$1,500
06-Houston	Houston	016075	Total Home Health & Rehab Services	11/27/2018	$1,500	02/15/2019		$1,500
06-Houston	Houston	017804	Total Home Health Galveston	10/16/2018	$1,500	01/15/2019		$1,500
06-Houston	Houston	000980	UltraStaff	09/27/2018	$1,500	01/29/2019		$1,500
06-Houston	Houston	017812	Uni Star Personal Care LLC	05/22/2018	$750	09/12/2018		$750
06-Houston	Houston	006751	University Place Retirement Community	05/11/2018	$750	09/12/2018	$750	$0

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06-Houston	Houston	017909	Unlimited Help Nursing Services Inc	11/13/2018	$1,500	02/15/2019		$1,500
06-Houston	Houston	014191	US Renal Care Home Therapies LLC	08/23/2018	$3,000	01/29/2019		$0
06-Houston	Houston	008594	Victory Home Health	05/17/2018	$500	10/25/2018		$500
06-Houston	Houston	013037	Visiting Angels	08/16/2018	$1,750	01/15/2019		$0
06-Houston	Houston	006974	Vitas Healthcare of Texas L P	05/18/2018	$750	10/25/2018		$0
06-Houston	Houston	017387	Vydell Healthcare Services Inc	05/23/2018	$2,000	09/26/2018	$2,000	$0
06-Houston	Houston	017809	Welcome Home Dialysis LLC	06/12/2018	$750	10/25/2018		$0
06-Houston	Houston	017809	Welcome Home Dialysis LLC	08/16/2018	$2,250	01/15/2019		$2,250
06-Houston	Houston	015500	Zenith Homehealth LLC	09/12/2018	$1,500	02/26/2019		$1,500
06-Houston	Houston	007719	Zion Home Health Services Inc	10/11/2018	$2,000	02/15/2019		$2,000
06-Houston	Humble	017820	Earnest Assistance LLC	07/17/2018	$1,000	11/30/2018		$1,000
06-Houston	Humble	010727	Victorias Health Care Inc	08/23/2018	$2,000	02/15/2019		$2,000
06-Houston	Huntsville	009771	Consider the Lilies Home Care Inc	06/21/2018	$1,250	10/25/2018		$0
06-Houston	Katy	017549	All Star Helpers LLC	06/06/2018	$4,000	09/26/2018		$4,000
06-Houston	Katy	017474	Deaf Blind Services of Texas	05/25/2018	$750	10/25/2018		$750
06-Houston	Katy	015924	JC Home Health Care Inc	06/22/2018	$1,250	10/25/2018		$0
06-Houston	Katy	013078	Katy Dreamweaver Home Health Services LLC	08/16/2018	$2,750	01/15/2019		$2,750
06-Houston	Katy	008794	Onlex Healthcare Inc	09/27/2018	$6,000	01/29/2019		$6,000
06-Houston	Katy	016640	T & N Healthcare Incorporated	08/13/2018	$2,000	01/29/2019		$2,000
06-Houston	Kemah	009750	Priority Healthcare Pas	07/26/2018	$2,250	12/07/2018		$0
06-Houston	Kingwood	011779	Bethel Hospice of Houston Inc	08/31/2018	$1,750	01/15/2019		$1,750

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06-Houston	Kingwood	008780	Grace Hospice of Texas	08/30/2018	$2,000	01/15/2019		$0
06-Houston	League City	015295	CareBuilders at Home Houston 1	11/16/2018	$750	02/15/2019		$750
06-Houston	League City	016327	Homecare Verizons	07/24/2018	$6,000	01/29/2019		$6,000
06-Houston	Magnolia	008856	Visiting Angels	10/31/2018	$1,000	02/26/2019		$1,000
06-Houston	Missouri City	012373	Care Dynamics	07/11/2018	$2,250	10/25/2018		$0
06-Houston	Missouri City	014137	Chrisdavnet Care Services LLC	11/15/2018	$2,750	02/15/2019		$2,750
06-Houston	Missouri City	009394	Cn Healthcare Inc	07/12/2018	$750	10/25/2018		$0
06-Houston	Missouri City	018066	Executive Care LLC	11/29/2018	$1,500	02/15/2019		$1,500
06-Houston	Missouri City	011515	Mayflower Health Services Inc	08/22/2018	$750	01/15/2019		$750
06-Houston	Missouri City	013314	VCA Care Services Inc	08/13/2018	$1,250	02/15/2019		$1,250
06-Houston	Missouri City	013314	VCA Care Services Inc	11/28/2018	$3,500	02/15/2019		$3,500
06-Houston	Pasadena	011267	Jordan Health Services	06/29/2018	$1,000	11/30/2018		$0
06-Houston	Porter	014865	Nursing and Beyond Home Health	06/20/2018	$1,000	10/25/2018		$1,000
06-Houston	Porter	014865	Nursing and Beyond Home Health	11/29/2018	$1,250	02/15/2019		$1,250
06-Houston	Richmond	011066	Felvin Health Care Services Inc	11/07/2018	$500	02/15/2019		$500
06-Houston	Richmond	017947	Gerizim Healthcare Services LLC	06/07/2018	$750	10/25/2018		$0
06-Houston	Richmond	017847	Kema Care Services Inc	05/23/2018	$500	09/12/2018	$500	$0
06-Houston	Richmond	010565	Kristel Healthcare Services	09/13/2018	$6,000	01/29/2019		$6,000
06-Houston	Richmond	018133	LifeBridge Home Care LLC	10/25/2018	$2,000	02/15/2019		$2,000
06-Houston	Richmond	013647	Limec Health Care Services Inc	07/18/2018	$1,000	12/18/2018		$0
06-Houston	Richmond	013647	Limec Health Care Services Inc	07/19/2018	$750	01/15/2019		$0
06-Houston	Richmond	015742	Nicolest Healthcare Services Inc	08/02/2018	$750	01/15/2019		$0

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06-Houston	Richmond	018000	Prestige Nursing Services Inc	08/31/2018	$500	01/29/2019		$0
06-Houston	Richmond	017456	Quintessence Healthcare Inc.	06/07/2018	$500	10/25/2018		$0
06-Houston	San Antonio	018044	Amerita	09/07/2018	$500	01/29/2019		$0
06-Houston	Shenandoah	017785	Lone Star Home Dialysis Inc	06/06/2018	$2,000	10/25/2018		$0
06-Houston	Spring	017271	Millennium Hospice Agency LLC	06/15/2018	$1,000	11/30/2018		$0
06-Houston	Spring	017830	Well-At-Home Health Services LLC	08/28/2018	$750	01/15/2019		$750
06-Houston	Stafford	010005	All Giving Provider Services Inc	07/19/2018	$1,000	11/08/2018		$0
06-Houston	Stafford	012912	Maxim Healthcare Services Inc	07/17/2018	$750	12/07/2018		$0
06-Houston	Stafford	011219	Midland Health Care Services Inc	11/06/2018	$2,250	02/15/2019		$2,250
06-Houston	Stafford	003621	PerryLee Home Health Care Services Inc	07/13/2018	$1,500	10/25/2018		$1,500
06-Houston	Sugar Land	010997	Anis Healthcare Services Inc	06/14/2018	$2,250	10/25/2018		$2,250
06-Houston	Sugar Land	007654	Assured Care Health Services LLC	10/04/2018	$1,500	12/18/2018		$1,500
06-Houston	Sugar Land	017273	Dialyze Direct Tx LLC	10/10/2018	$1,500	01/15/2019		$1,500
06-Houston	Sugar Land	013899	Direcare Health Services	10/24/2018	$1,000	02/26/2019		$1,000
06-Houston	Sugar Land	014914	ES Health Services Inc	09/13/2018	$1,000	01/15/2019		$1,000
06-Houston	Sugar Land	010184	Med Source Healthcare Services Inc	10/12/2018	$1,500	01/29/2019		$1,500
06-Houston	Sugar Land	017862	Promede Home Health Services Inc	06/07/2018	$500	10/25/2018		$0
06-Houston	Sugar Land	014520	Saysa Healthcare Services Inc	08/14/2018	$2,750	12/07/2018		$2,750
06-Houston	Sugar Land	018487	The Providence Home Health Services Inc	08/03/2018	$500	12/18/2018		$0

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06-Houston	Sugarland	014766	Rose of Sharon Home Health Inc	08/08/2018	$2,750	01/29/2019		$2,750
06-Houston	Texas City	015315	A*Med Community Hospice	10/29/2018	$1,500	12/07/2018		$0
06-Houston	Texas City	148793	Ashton Parke Care Center Inc		$3,000	02/13/2019		$0
06-Houston	the Woodlands	017374	Interim Healthcare of the Woodlands/Spring	07/19/2018	$2,500	01/15/2019		$2,500
06-Houston	The Woodlands	017341	Oasis Hospice	10/19/2018	$1,250	02/15/2019		$1,250
06-Houston	The Woodlands	011640	We Care Kids Care PLLC	08/01/2018	$2,250	11/30/2018		$2,250
06-Houston	The Woodlands	017975	Yos Health Care Services Inc	09/05/2018	$500	01/29/2019		$500
06-Houston	Wharton	018172	Carissa Health Care Services Inc	09/27/2018	$3,500	01/29/2019		$3,500
07-Austin	Austin	017603	Assisting Hands of West Austin	09/26/2018	$750	12/18/2018		$750
07-Austin	Austin	014927	Aveanna Healthcare	05/31/2018	$750	09/12/2018	$750	$750
07-Austin	Austin	014927	Aveanna Healthcare	08/22/2018	$1,550	01/15/2019		$0
07-Austin	Austin	008036	Brookdale Home Health Austin	11/30/2018	$1,500	02/26/2019		$1,500
07-Austin	Austin	014874	Brookdale Hospice Austin	09/11/2018	$1,000	01/15/2019		$1,000
07-Austin	Austin	006793	C Home Health Central Inc	07/12/2018	$1,500	10/25/2018	$1,500	$1,500
07-Austin	Austin	017147	Cella Bella's Hospice Corporation	09/20/2018	$1,500	01/15/2019		$1,500
07-Austin	Austin	017962	Cima Hospice	09/25/2018	$2,500	01/29/2019		$2,500
07-Austin	Austin	017962	Cima Hospice	10/16/2018	$2,800	02/26/2019		$2,800
07-Austin	Austin	003655	Coram CVS/Specialty Infusion Services	10/05/2018	$750	02/26/2019		$750
07-Austin	Austin	007556	Disability Services of the Southwest Inc	09/27/2018	$750	12/18/2018		$0
07-Austin	Austin	018662	Edwards Home Health	08/22/2018	$1,250	12/18/2018		$0
07-Austin	Austin	015057	Edward's Home Health & Hospice	10/05/2018	$2,750	02/26/2019		$2,750

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07-Austin	Austin	013546	Encompass Health Home Health	09/13/2018	$750	01/29/2019		$0
07-Austin	Austin	011732	Girling Community Care Texas By Harden Healthcare	07/16/2018	$500	11/30/2018		$0
07-Austin	Austin	018566	Home Helpers and Direct Link Office #58890	09/11/2018	$1,750	01/29/2019		$1,750
07-Austin	Austin	012535	InHome Care Inc	08/21/2018	$750	10/25/2018	$750	$750
07-Austin	Austin	007845	Kindred Hospice	07/06/2018	$1,000	10/25/2018	$1,000	$0
07-Austin	Austin	017207	Life Made Easy Home Care	08/22/2018	$500	12/18/2018		$500
07-Austin	Austin	015414	Lifespan Home Health	11/30/2018	$750	02/26/2019		$750
07-Austin	Austin	018806	LifeSpring Home Health	10/12/2018	$500	01/29/2019		$0
07-Austin	Austin	018548	Longhorns Inhome Health Services	08/09/2018	$2,250	01/29/2019		$2,250
07-Austin	Austin	017517	New Century Hospice of Austin	09/06/2018	$750	01/15/2019		$0
07-Austin	Austin	007810	Outreach Home Care	10/17/2018	$1,500	01/15/2019		$0
07-Austin	Austin	006537	PSA Healthcare Inc	09/14/2018	$750	01/29/2019		$0
07-Austin	Austin	012568	Right at Home 1202	08/23/2018	$500	01/15/2019		$500
07-Austin	Austin	017838	Texas Home Health Hospice-Austin LLC	06/14/2018	$750	11/30/2018		$0
07-Austin	Austin	007742	Texas Home Health Skilled Services	07/02/2018	$500	10/25/2018	$500	$0
07-Austin	Austin	018493	The Medical Team Inc	10/25/2018	$1,750	02/26/2019		$1,750
07-Austin	Bastrop	005899	Bluebonnet Home Health Care of Texas Inc	07/23/2018	$500	12/07/2018		$0
07-Austin	Cameron	010576	Standards Home Health	09/18/2018	$750	01/29/2019		$750
07-Austin	Cameron	018020	Standards Hospice Inc	12/05/2018	$750	02/26/2019		$750

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07-Austin	Cedar Park	011453	Resolutions Hospice	05/31/2018	$1,500	09/12/2018	$1,500	$0
07-Austin	Clifton	010595	Hospice Sunset	08/15/2018	$3,750	01/29/2019		$0
07-Austin	Gatesville	001525	Coryell Memorial Hospital Home Health Care Services	08/17/2018	$750	12/18/2018		$750
07-Austin	Georgetown	016937	Encompass Health Home Health	02/01/2019	$750	02/26/2019		$750
07-Austin	Georgetown	018591	Homewatch Caregivers of Georgetown	06/14/2018	$1,250	09/26/2018	$1,000	$500
07-Austin	Georgetown	018529	Your Daytime Daughter	09/05/2018	$1,250	01/15/2019		$1,250
07-Austin	Hamilton	002197	Lee Healthcare Inc	07/12/2018	$1,200	12/18/2018		$0
07-Austin	Harker Heights	009082	Heights Home Health	08/09/2018	$500	12/18/2018		$0
07-Austin	Hewitt	011520	Home Instead Senior Care Franchise #664	10/24/2018	$500	01/29/2019		$0
07-Austin	Jarrell	016208	Maranatha Care Home Health LLC	06/05/2018	$1,500	09/26/2018	$1,500	$0
07-Austin	Kyle	016887	Seton Home Care	06/14/2018	$3,300	11/08/2018		$0
07-Austin	Marble Falls	010942	Encompass Health Home Health	06/21/2018	$1,500	10/25/2018	$1,500	$0
07-Austin	Marble Falls	010942	Encompass Health Home Health	07/19/2018	$650	12/07/2018		$0
07-Austin	Marble Falls	018627	Home Instead	08/30/2018	$4,000	01/15/2019		$4,000
07-Austin	Navasota	016269	DMD Home & Companion Care Services LLC	06/05/2018	$3,000	10/25/2018	$3,000	$3,000
07-Austin	Pflugerville	017013	Cater-2-U Home Health Care Services LLC	10/08/2018	$550	01/29/2019		$550
07-Austin	Pflugerville	008312	Interim Healthcare of Austin	10/24/2018	$3,000	02/26/2019		$3,000
07-Austin	Round Rock	017185	Christy Grace Health Center Inc	08/02/2018	$1,750	01/15/2019		$0
07-Austin	Round Rock	017038	Guiding Angels	05/16/2018	$4,000	09/12/2018	$4,000	$4,000

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07-Austin	Round Rock	018479	Homeslice Caregivers	09/06/2018	$500	01/29/2019		$500
07-Austin	Round Rock	015650	Transcend Homecare Services LLC	07/17/2018	$750	11/30/2018		$0
07-Austin	San Marcos	018109	Comfort Keepers	07/19/2018	$1,500	11/30/2018		$0
07-Austin	San Marcos	004098	Kindred Hospice	08/10/2018	$2,000	12/18/2018		$0
07-Austin	Temple	013943	Aveanna Healthcare	06/07/2018	$2,650	11/08/2018		$0
07-Austin	Temple	004135	Kindred Hospice	06/26/2018	$500	10/25/2018	$500	$0
07-Austin	Temple	012601	Lakeway Home Health	07/12/2018	$1,000	11/30/2018		$0
07-Austin	Temple	012292	Standards Home Health	10/19/2018	$2,000	01/15/2019		$0
07-Austin	Waco	007382	ABC Health Care Inc	10/26/2018	$750	12/18/2018		$0
07-Austin	Waco	016811	Pals Home Health	11/14/2018	$1,500	02/26/2019		$1,500
08-San Antonio	Boerne	015225	Nurse Next Door-n San Antonio/Hill Country	09/18/2018	$1,500	01/15/2019		$0
08-San Antonio	Boerne	017225	Visiting Angels	05/16/2018	$4,300	09/12/2018	$4,300	$0
08-San Antonio	Converse	018107	Everlasting Home Health Care Inc	11/02/2018	$4,250	02/15/2019		$4,250
08-San Antonio	Cuero	001140	Cuero Community Hospital Home Health Agency	06/06/2018	$1,150	10/25/2018	$1,150	$0
08-San Antonio	Del Rio	018262	Vida Real Home Care	06/13/2018	$1,900	10/25/2018	$1,900	$0
08-San Antonio	Eagle Pass	010971	National Medical Homecare Inc	10/10/2018	$4,450	02/26/2019		$4,450
08-San Antonio	Floresville	018199	Speech Strong Inc	06/28/2018	$1,050	10/25/2018	$1,050	$0
08-San Antonio	Houston	017178	Crossroads Hospice Inc	10/10/2018	$1,400	01/15/2019		$1,400
08-San Antonio	New Braunfels	018423	Christus Homecare	09/28/2018	$1,400	01/15/2019		$1,400
08-San Antonio	New Braunfels	012989	Cima Hospice	06/21/2018	$500	11/30/2018		$0
08-San Antonio	New Braunfels	018189	Jordan Health Services	08/23/2018	$2,100	01/15/2019		$0

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08-San Antonio	San Antonio	013879	A Amazing Home Care	09/05/2018	$500	01/15/2019		$500
08-San Antonio	San Antonio	018179	A Comfort Care	06/01/2018	$500	10/25/2018	$500	$0
08-San Antonio	San Antonio	008332	Advocate Home Care	08/08/2018	$650	01/15/2019		$650
08-San Antonio	San Antonio	018060	Always Best Care Senior Services Northern San Antonio	07/27/2018	$550	12/07/2018	$450	$0
08-San Antonio	San Antonio	018060	Always Best Care Senior Services Northern San Antonio	08/24/2018	$500	12/18/2018		$0
08-San Antonio	San Antonio	017064	Amazing Grace Primary Home Care	07/11/2018	$1,250	10/25/2018	$1,250	$0
08-San Antonio	San Antonio	016852	American Medical Hospice & Palliative Care	11/28/2018	$1,050	02/15/2019		$1,050
08-San Antonio	San Antonio	013878	Aveanna Healthcare	08/24/2018	$700	12/20/2018		$0
08-San Antonio	San Antonio	008293	Best Care Home Health	05/30/2018	$500	09/26/2018		$500
08-San Antonio	San Antonio	008293	Best Care Home Health	07/20/2018	$250	11/08/2018		$0
08-San Antonio	San Antonio	018124	Caring Hearts Personalized Living	07/11/2018	$2,300	10/25/2018	$2,300	$0
08-San Antonio	San Antonio	013470	Child's Play Therapeutic Homecare Inc	06/21/2018	$500	11/30/2018		$0
08-San Antonio	San Antonio	018394	Christus VNA Hospice and Palliative Care San Antonio	05/11/2018	$1,200	09/12/2018	$1,200	$0
08-San Antonio	San Antonio	015056	Community Assistance Healthcare Services LLC	06/20/2018	$1,050	11/30/2018		$0
08-San Antonio	San Antonio	015056	Community Assistance Healthcare Services LLC	08/09/2018	$650	01/15/2019		$650
08-San Antonio	San Antonio	007836	Concord Primary Care Services Inc	08/24/2018	$550	01/15/2019		$0

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
08-San Antonio	San Antonio	018245	Della Rosa Health Care Corporation	09/17/2018	$2,000	01/29/2019		$2,000
08-San Antonio	San Antonio	018649	Dignity Hospice of San Antonio	06/14/2018	$1,300	11/30/2018		$0
08-San Antonio	San Antonio	018178	Distinct Care Home Health	07/18/2018	$1,000	11/08/2018		$0
08-San Antonio	San Antonio	009490	Encompass Health Home Health	08/08/2018	$550	01/15/2019		$0
08-San Antonio	San Antonio	015981	Encompass Health Hospice	09/07/2018	$650	01/29/2019		$0
08-San Antonio	San Antonio	018146	FirstLight Home Care of San Antonio	05/09/2018	$1,050	09/12/2018		$0
08-San Antonio	San Antonio	011757	Girling Community Care Texas By Harden Healthcare	08/28/2018	$550	01/15/2019		$0
08-San Antonio	San Antonio	015590	Good Shepherd Hospice of San Antonio LLC	07/31/2018	$1,150	01/29/2019		$1,150
08-San Antonio	San Antonio	013969	Guardian Healthcare	09/06/2018	$650	01/29/2019		$0
08-San Antonio	San Antonio	011454	Heart to Heart Homecare	09/07/2018	$3,000	01/15/2019		$3,000
08-San Antonio	San Antonio	018157	Heavenly Hospice	07/26/2018	$600	12/07/2018		$0
08-San Antonio	San Antonio	007873	Home Health Innovations Inc	08/02/2018	$1,100	01/15/2019		$1,100
08-San Antonio	San Antonio	017971	Homecare Dimensions Inc	08/24/2018	$550	01/15/2019		$0
08-San Antonio	San Antonio	011018	Inhome Care	05/16/2018	$1,950	09/12/2018		$1,950
08-San Antonio	San Antonio	011018	Inhome Care	10/08/2018	$4,450	10/25/2018	$4,450	$4,450
08-San Antonio	San Antonio	011260	Jordan Health Services, A Part of the Elara Caring Network	05/03/2018	$1,150	11/12/2018		$0
08-San Antonio	San Antonio	011260	Jordan Health Services, A Part of the Elara Caring Network	08/16/2018	$1,450	01/15/2019		$0
08-San Antonio	San Antonio	007638	La Estrella Home Care	06/27/2018	$550	10/25/2018	$550	$0
08-San Antonio	San Antonio	007638	La Estrella Home Care	01/15/2019	$650	02/26/2019		$650

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
08-San Antonio	San Antonio	011059	Little Engine Homecare Inc	09/20/2018	$1,400	02/15/2019		$1,400
08-San Antonio	San Antonio	012915	Maxim Healthcare Services Inc	08/10/2018	$650	01/15/2019		$0
08-San Antonio	San Antonio	017980	Passionate Healing Healthcare Services LLC	06/01/2018	$500	10/25/2018	$500	$0
08-San Antonio	San Antonio	018127	Premier Home Health Agency	08/17/2018	$1,050	01/29/2019		$1,050
08-San Antonio	San Antonio	008439	Progressive Primary Care Inc	05/23/2018	$2,550	10/25/2018	$2,550	$2,550
08-San Antonio	San Antonio	018533	Right at Home SA	07/25/2018	$500	11/30/2018		$0
08-San Antonio	San Antonio	018533	Right at Home SA	10/04/2018	$1,100	02/15/2019		$1,100
08-San Antonio	San Antonio	017453	S. A. Nurses Home Health Agency	05/11/2018	$1,300	09/12/2018	$1,300	$0
08-San Antonio	San Antonio	007530	San Juan Primary Home Care Agency	08/23/2018	$550	01/29/2019		$0
08-San Antonio	San Antonio	017648	Senior Helpers of Greater San Antonio	08/22/2018	$500	02/15/2019		$500
08-San Antonio	San Antonio	012830	St Mark Home Health Care LLC	08/17/2018	$500	01/15/2019		$0
08-San Antonio	San Antonio	013012	Step By Step Home Care and Therapy PLLC	06/15/2018	$1,300	11/08/2018		$0
08-San Antonio	San Antonio	009902	Thank You Nurses Ltd	09/06/2018	$550	01/29/2019		$550
08-San Antonio	San Antonio	007195	Vitas Healthcare of Texas LP	06/07/2018	$2,000	10/25/2018	$2,000	$0
08-San Antonio	Victoria	018286	Citizens Medical Center Home Health Agency	08/23/2018	$1,650	02/15/2019		$1,650
08-San Antonio	Victoria	007332	Outreach Home Care	07/12/2018	$550	10/25/2018	$550	$0
08-San Antonio	Victoria	013045	Senior Helpers	10/16/2018	$2,150	01/29/2019		$2,150
08-San Antonio	Victoria	017112	World of Words Speech & Feeding Services LLC	09/27/2018	$1,300	01/15/2019		$0
09-Abilene	Midland	007641	Inhome Care	10/03/2018	$5,250	10/25/2018	$5,250	$5,250

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
09-Abilene	Midland	007971	Su Casa Home Health Services	12/12/2018	$750	02/15/2019		$750
09-Abilene	Midland	016239	Two Hearts Home Health	05/24/2018	$1,500	09/12/2018	$1,500	$0
09-Abilene	Midland	016239	Two Hearts Home Health	09/18/2018	$2,250	12/18/2018		$0
09-Abilene	Midland	015342	Visiting Angels	11/15/2018	$750	12/07/2018		$750
09-Abilene	Odessa	016994	Crossland Care Inc	10/31/2018	$750	12/07/2018		$0
09-Abilene	Odessa	007430	Star Hospice	08/17/2018	$2,250	12/18/2018		$0
09-Abilene	San Angelo	015682	Educare Community Living Corp Texas	07/25/2018	$1,500	11/08/2018		$1,500
09-Abilene	San Angelo	002018	Hospice of San Angelo Inc	11/08/2018	$1,000	12/07/2018		$1,000
09-Abilene	San Angelo	018217	Private Care Services	09/18/2018	$7,500	12/07/2018		$7,500
09-Abilene	San Angelo	012186	San Angelo Home Health	06/14/2018	$750	09/26/2018		$0
10-El Paso	El Paso	016967	ACO Provider Services	07/25/2018	$6,350	02/26/2019		$6,350
10-El Paso	El Paso	014946	Affinity Personal Assistance Services LLC	10/17/2018	$500	01/29/2019		$0
10-El Paso	El Paso	015041	Allegiance Personal Assistance Services Inc	07/26/2018	$1,250	12/07/2018		$0
10-El Paso	El Paso	012797	AM Home Personal Assistance Service	06/18/2018	$750	10/25/2018	$750	$0
10-El Paso	El Paso	015690	Asti Home Care LLC	11/15/2018	$1,000	02/26/2019		$1,000
10-El Paso	El Paso	014797	Aveanna Healthcare	05/25/2018	$1,250	09/26/2018	$1,250	$0
10-El Paso	El Paso	016764	Camino Hospice Corporation	10/04/2018	$1,750	02/26/2019		$1,750
10-El Paso	El Paso	015469	Caring Companions	07/25/2018	$7,650	01/29/2019		$0
10-El Paso	El Paso	005897	Cuidado Casero Home Health of El Paso Inc	06/06/2018	$500	10/25/2018	$500	$500
10-El Paso	El Paso	007769	Desierto Home Healthcare	11/07/2018	$2,750	02/26/2019		$2,750

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
10-El Paso	El Paso	015262	HealthStar Pediatric Home Health	09/19/2018	$2,600	01/29/2019		$2,600
10-El Paso	El Paso	007056	Inhome Care	10/09/2018	$2,750	10/25/2018	$2,750	$2,750
10-El Paso	El Paso	007904	Inhome Care	10/09/2018	$2,750	10/25/2018	$2,750	$2,750
10-El Paso	El Paso	015392	Lifespan Home Health	07/20/2018	$500	12/18/2018		$0
10-El Paso	El Paso	003467	Nurses Unlimited Inc	08/29/2018	$1,500	12/07/2018		$0
10-El Paso	El Paso	003467	Nurses Unlimited Inc	11/20/2018	$750	02/15/2019		$750
10-El Paso	El Paso	018633	Progressive Home Care	09/06/2018	$750	12/18/2018		$0
10-El Paso	El Paso	016371	San Lorenzo Adult Provider and Pediatrics	05/24/2018	$9,250	09/26/2018	$8,500	$0
10-El Paso	El Paso	016649	Superior TLC Home Health Care LLC	05/24/2018	$2,250	10/25/2018	$2,250	$1,500
10-El Paso	San Elizario	014726	Mi Casa Personal Assistance Services Inc	05/22/2018	$750	09/12/2018	$750	$0
11-Corpus Christi	Brownsville	003165	Caring for You Home Health Inc	07/12/2018	$2,300	01/15/2019		$0
11-Corpus Christi	Brownsville	015355	Executive Home Health LLC	10/03/2018	$1,150	02/15/2019		$1,150
11-Corpus Christi	Brownsville	002897	Interim Healthcare	05/29/2018	$8,950	09/12/2018	$8,950	$0
11-Corpus Christi	Brownsville	011559	Seasons Primary Home Care	07/06/2018	$3,300	12/18/2018		$0
11-Corpus Christi	Corpus Christi	015564	Nurse Placement Services	04/26/2018	$800	09/12/2018	$800	$0
11-Corpus Christi	Corpus Christi	018453	One at Home Texas	09/25/2018	$6,000	02/26/2019		$6,000

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
11-Corpus Christi	Corpus Christi	013315	River City Hospice	05/23/2018	$3,600	10/25/2018		$0
11-Corpus Christi	Corpus Christi	005773	Sacred Heart Home Health Inc	07/19/2018	$1,800	11/30/2018		$0
11-Corpus Christi	Corpus Christi	014579	Trio Home Health Care Inc	05/30/2018	$1,200	09/26/2018	$1,200	$0
11-Corpus Christi	Edinburg	011833	Allstate Primary Home Care	08/09/2018	$600	01/15/2019		$0
11-Corpus Christi	Edinburg	012117	Apex Primary Care	05/25/2018	$2,500	10/25/2018		$2,500
11-Corpus Christi	Edinburg	011272	Jordan Health Services, A Part of the Elara Caring Network	07/10/2018	$3,750	11/30/2018		$0
11-Corpus Christi	Edinburg	013925	Los Reyes Home Care	07/03/2018	$2,250	11/30/2018		$0
11-Corpus Christi	Harlingen	010343	A & M Nursing Services LLC	05/15/2018	$2,200	09/12/2018	$2,200	$2,200
11-Corpus Christi	Harlingen	007328	All Texas Health Care Inc	10/08/2018	$500	02/15/2019		$500
11-Corpus Christi	Harlingen	003014	Harlingen Acute Care Inc	08/15/2018	$1,900	01/15/2019		$0
11-Corpus Christi	Harlingen	007400	Medic Home Care Incorporated	09/06/2018	$1,000	02/15/2019		$1,000
11-Corpus Christi	Harlingen	007908	National Nursing & Rehab Rio Grande Valley	09/21/2018	$5,800	02/26/2019		$5,800
11-Corpus Christi	Hebbronville	016001	Med Team Inc	06/06/2018	$1,000	10/25/2018		$0
11-Corpus Christi	Laredo	008697	Amistad Home Health Inc	09/14/2018	$500	01/30/2019		$500

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
11-Corpus Christi	Laredo	018004	Caridad Home Care Services LLC	06/07/2018	$4,000	10/25/2018		$0
11-Corpus Christi	Laredo	014576	Estrella Provider Services LLC	08/21/2018	$1,800	01/29/2019		$1,800
11-Corpus Christi	Laredo	011880	Friendly Care Primary Services	01/09/2019	$1,200	02/26/2019		$1,200
11-Corpus Christi	Laredo	018024	M & J Primary Home Care LLC	09/20/2018	$1,850	02/26/2019		$1,850
11-Corpus Christi	Laredo	012669	St. Judes Specialty Home and Health Care Services Inc	06/29/2018	$6,300	10/25/2018		$0
11-Corpus Christi	Laredo	017580	Star Plus Home Care	06/13/2018	$750	10/25/2018	$750	$0
11-Corpus Christi	McAllen	010285	A New Hope Health Care Inc	10/26/2018	$13,150	01/15/2019		$13,150
11-Corpus Christi	McAllen	011598	Amanecer Home Health Care LLC	05/15/2018	$1,700	09/12/2018	$1,700	$1,700
11-Corpus Christi	McAllen	004452	Caring for You Home Health Inc	08/30/2018	$5,800	01/15/2019		$5,800
11-Corpus Christi	McAllen	017739	Crystal Primary Care LLC	07/12/2018	$3,350	10/25/2018		$3,350
11-Corpus Christi	McAllen	017463	Eternal Serenity Hospice LLC	07/20/2018	$6,500	09/24/2018		$6,500
11-Corpus Christi	McAllen	017463	Eternal Serenity Hospice LLC	07/20/2018	$6,100	09/26/2018	$6,100	$6,100
11-Corpus Christi	McAllen	008177	First Choice Healthcare	06/08/2018	$1,750	10/25/2018		$0
11-Corpus Christi	McAllen	015208	Goodwill Healthcare Team	09/27/2018	$4,350	02/26/2019		$4,350

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
11-Corpus Christi	McAllen	008864	HHN Healthcare LLC	06/07/2018	$1,000	10/25/2018		$0
11-Corpus Christi	McAllen	009787	Manos De Oro PHC Inc	07/13/2018	$3,150	10/25/2018		$0
11-Corpus Christi	McAllen	015001	Professional Rehab Services	08/02/2018	$1,600	02/15/2019		$1,600
11-Corpus Christi	McAllen	015428	Prosperity Health Care LLC	07/18/2018	$1,250	11/30/2018		$0
11-Corpus Christi	McAllen	016017	Super Hero Kids Home Health	06/19/2018	$2,000	11/08/2018		$2,000
11-Corpus Christi	McAllen	016017	Super Hero Kids Home Health	08/29/2018	$1,150	01/15/2019		$1,150
11-Corpus Christi	McAllen	011422	Superior Home Health Services LLC	06/15/2018	$5,900	10/25/2018		$5,900
11-Corpus Christi	McAllen	016774	Universal Provider Service	08/15/2018	$500	01/29/2019		$500
11-Corpus Christi	Mission	017403	Amanecer Primary Home Care LLC	10/03/2018	$3,350	02/26/2019		$3,350
11-Corpus Christi	Mission	009182	Angelitos Home Health Care Inc	05/04/2018	$3,250	09/12/2018	$3,250	$0
11-Corpus Christi	Mission	013811	Golden Angels of Hope Health Care Inc	08/15/2018	$11,900	09/26/2018		$11,900
11-Corpus Christi	Mission	013811	Golden Angels of Hope Health Care Inc	11/19/2018	$3,550	02/26/2019		$3,550
11-Corpus Christi	Mission	010551	Heavenly Health Care	07/11/2018	$1,600	11/30/2018		$0
11-Corpus Christi	Mission	017826	Sincerely Yours Personal Home Care LLC	05/10/2018	$2,850	09/12/2018	$2,850	$1,425

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
11-Corpus Christi	Palmview	013745	Amigos Y Familia Primary Home Care Inc	09/17/2018	$5,950	01/29/2019		$5,950
11-Corpus Christi	Palmview	017767	Los Milagros PHC LLC	06/14/2018	$4,350	11/08/2018		$0
11-Corpus Christi	Pharr	014807	Epic Pediatric Therapy	07/12/2018	$3,800	10/25/2018		$0
11-Corpus Christi	Pharr	017509	J&M Guardians Primary Home Care LLC	06/14/2018	$4,750	10/25/2018		$4,750
11-Corpus Christi	Pharr	018476	Vamos Home Health	05/11/2018	$6,700	09/26/2018	$6,700	$2,233
11-Corpus Christi	Rio Grande City	017227	LVN Health Care	08/10/2018	$500	01/15/2019		$0
11-Corpus Christi	Rio Grande City	017093	Salud Health Care Services Inc	05/25/2018	$500	09/26/2018	$500	$0
11-Corpus Christi	San Diego	015760	Onsite Nursing Services Inc	08/07/2018	$1,100	11/08/2018		$1,100
11-Corpus Christi	San Juan	015230	AmeriCare Nursing Service	08/21/2018	$1,100	01/29/2019		$1,100
11-Corpus Christi	Weslaco	009435	D Oro Home Health Services	07/13/2018	$500	10/25/2018		$0
11-Corpus Christi	Weslaco	017755	Heavenly Grace Ouranios Inc	08/23/2018	$1,100	10/25/2018		$1,100
11-Corpus Christi	Weslaco	016623	Life Home Health Care Inc	06/01/2018	$4,700	10/25/2018		$0
11-Corpus Christi	Weslaco	013622	Platinum Primary Care LLC	08/23/2018	$4,700	01/29/2019		$4,700
11-Corpus Christi	Weslaco	017986	Rapido Home Care Inc	08/14/2018	$9,700	11/08/2018		$9,700

Region	City	License Number	Agency	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
11-Corpus Christi	Zapata	018618	Del Mar Primary Home Care LLC	09/07/2018	$1,100	02/15/2019		$1,100
Totals					**$1,203,500**		**$170,300**	**$666,417**

559 Total home and community support services agency administrative penalties imposed.

Notes:

1. The imposed column is the total amount of penalty after the state has reviewed and confirmed the administrative penalty citation and amount. This is the amount due and payable if no alternative amount results from an appeal or if no settlement agreement reached.
2. The assessed column is the amount due after the appeal process has been completed (or an agreement to settle has been reached) and a final amount and due date have been decided, or the person accepts the determination by the regulating agency or fails to respond to the notice letter in a timely manner.
3. The balance column is the amount of penalty the HCSSA owes. These amounts do not necessarily reflect the final amount the HCSSA may owe. The amounts can change based on a hearing or negotiated settlement.

Home and Community Support Services Agencies Licensure Actions

Region	City	License Number	Agency	Action	Action Date
03-Arlington	Desoto	018565	Arrington Angels Home Care LLC	License Revocation	12/1/2018
03-Arlington	Little Elm	017490	Elements of Love Pediatrics Home Healthcare LLC	Application Denied	12/3/2018
06-Houston	Houston	017495	Passion for Caring Home Health Inc	Denial of License Renewal	1/31/2019
06-Houston	Stafford		Above All Care Home Health Services Inc	Application Denied	12/14/2018
07-Austin	Austin	012535	InHome Care Inc	License Revocation	2/10/2019

5 Total home and community support services agency licensure actions.

Home and Community Support Services Agency Complaint and Incident Intakes

Complaints

A complaint allegation is an assertion that a requirement of state licensure or federal certification has been violated and can come directly from individuals or residents, family members, health care providers, advocates, law enforcement, or other state agencies. Report sources can be oral or written.

Incidents

An incident is an allegation of abuse, neglect, or misappropriation of property; an allegation of conduct or a condition resulting in the exploitation of consumers; or any act allegedly perpetrated by agency staff and reported by agency management or other agency staff.

Priority Assignment

CII evaluates each complaint or incident based on its unique circumstances and assigns priorities accordingly. When timeliness is crucial to the health and safety of a consumer(s), such as in a situation of heating or air conditioner equipment failure (if the consumer is in an inpatient hospice unit), alleged staff walkout, etc., an investigation can be initiated immediately by telephone, regardless of the priority code assignment. After the initial telephone contact, an on-site visit is conducted according to the timeframe specified by the priority assignment. The priorities that can be assigned to a HCSSA are:

- Agency 2-day
- Agency 10-day
- Agency 45-day
- Agency 90-day
- Agency next on-site
- Desk review
- Withdrawn
- Not applicable

Agency 2-day

Immediate response by the LTCR is warranted because a HCSSA provider allegedly created or allowed a present and ongoing situation in which the provider's noncompliance with one or more requirements of licensure or certification has failed to protect consumers or has caused, or is likely to cause, serious injury, harm, impairment, or death.

Agency 10-day

Alleged provider noncompliance might have or has a high potential to cause harm that affects a consumer's mental, physical, or psychosocial well-being and is of such consequence that a rapid response by LTCR is indicated. The complaint allegation(s) asserts that one or more of the following exist:

- Nursing care was not delivered as planned to a consumer with present and ongoing need for nursing care.
- There was a break in service for skilled services for Medicaid waiver consumers.
- Home and community support services agency personnel were not available to the consumers during normal operating hours.
- The consumer sustained harm from improper or inadequate care and service provision.
- Immediate threat to health and safety has been removed, but the situation poses a continued threat to consumers.

Agency 45-day

The complaint allegation(s) asserts that one or more of the following exist:

- Noncompliance with one or more requirements of licensure or certification that has a low potential for more than minimal harm or resulted in physical, mental, or psychosocial harm that did not directly impact consumer health and safety
- Financial insolvency without alleged impact on consumers
- Inaccurate clinical records

Agency 90-day

The complaint allegation(s) asserts that an agency is providing home health services (hiring and sending out nurses to provide skilled nursing services or hiring and sending out aides to provide personal assistance services) without a license.

Agency Next On-site

The complaint allegation(s) asserts that one or more of the following exist:

- Discharge without proper notice
- Illegal remuneration (i.e., solicitation or kickbacks)
- Personal assistance services not being provided when the situation does not pose a serious threat to the consumer's health and safety
- Consumer rights violations
- Billing irregularities

Desk Review

LTCR uses desk reviews for off-site investigation of HCSSA self-reported incidents. If further investigation is warranted to ensure compliance with federal, state, or local laws, regional staff schedule an on-site investigation. Whether investigation is by desk review or on-site, it must be completed on or before 120 working days.

Withdrawn

A complaint report filed with CII is withdrawn at the request of the complainant, except when abuse, neglect or exploitation is alleged.

Not Applicable

CII determines it has no jurisdiction to investigate a complaint or a referral, or when a report to another agency, board, or entity is required.

Home and Community Support Services Agency All Intakes by Priority and Region

Intake Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Agency 2-day	1	0	4	0	0	4	0	6	0	0	0	**15**
Agency 10-day	3	1	37	7	1	24	12	20	2	3	14	**124**
Agency 45-day	8	3	179	26	20	142	48	57	10	36	102	**631**
Agency 90-day	0	0	0	0	0	1	0	0	0	0	0	**1**
Agency Next On-site	0	2	46	11	5	35	14	18	0	6	37	**174**
Desk Review	66	122	632	297	112	331	310	397	18	133	783	**3,201**
Withdrawn	0	0	4	0	0	1	0	1	0	0	1	**7**
Not Applicable	8	9	35	13	2	47	16	30	0	12	38	**210**
Total	**86**	**137**	**937**	**354**	**140**	**585**	**400**	**529**	**30**	**190**	**975**	**4,363**

Home and Community Support Services Agency Complaints by Priority and Region

Complaint Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Agency 2-day	1	0	2	0	0	3	0	6	0	0	0	**12**
Agency 10-day	3	1	29	5	1	20	8	17	2	3	8	**97**
Agency 45-day	7	3	122	17	16	106	34	37	9	27	71	**449**
Agency 90-day	0	0	0	0	0	1	0	0	0	0	0	**1**
Agency Next On-site	0	2	46	7	5	26	13	18	0	6	37	**160**
Withdrawn	0	0	4	0	0	1	0	1	0	0	1	**7**
Not Applicable	3	0	5	0	0	2	0	0	0	0	0	**10**
Total	**14**	**6**	**208**	**29**	**22**	**159**	**55**	**79**	**11**	**36**	**117**	**736**

Home and Community Support Services Agency Incidents by Priority and Region

Incident Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Agency 2-day	0	0	2	0	0	1	0	0	0	0	0	**3**
Agency 10-day	0	0	8	2	0	4	4	3	0	0	6	**27**
Agency 45-day	1	0	57	9	4	36	14	20	1	9	31	**182**
Agency Next On-site	0	0	0	4	0	9	1	0	0	0	0	**14**
Desk Review	66	122	632	297	112	331	310	397	18	133	783	**3,201**
Not Applicable	5	9	30	13	2	45	16	30	0	12	38	**200**
Total	**72**	**131**	**729**	**325**	**118**	**426**	**345**	**450**	**19**	**154**	**858**	**3,627**

Appendix E. Intermediate Care Facility for Individuals with an Intellectual Disability or Related Conditions (ICF/IID)

Intermediate Care Facility for Individuals with an Intellectual Disability or Related Conditions Actions

The tables in this appendix contain information relating to Texas Health and Safety Code, Title 4, Subtitle B, Chapter 252, Intermediate Care Facilities, for licensed ICF/IID actions, by category, for fiscal year (FY) 2019, quarters 1 and 2.

Administrative Penalties

Basis for imposing

LTCR can assess an administrative penalty against an ICF/IID that violates Texas Health and Safety Code Chapter 252, or a rule, standard, or order adopted, or license issued, under Texas Health and Safety Code Chapter 252.

Imposed

An action can be recommended by:

- The regional survey or investigation team and supported during enforcement review
- Regional or state office regulatory staff, considering the survey or investigation findings or evaluating the ICF/IID's history or performance

LTCR imposes the action when the administrative penalty recommendation has been reviewed and confirmed by state office staff. The ICF/IID is formally notified of the administrative penalty citation and the penalty amount. Additionally, the notice includes information about the appeal process available to the ICF/IID.

Assessed

Penalties assessed are the final actions after the appeal process has been completed (or an agreement to settle has been reached) and a final amount and due date have been decided, or the person accepts the determination by LTCR or fails to respond to the notice letter in a timely manner. The ICF/IID is notified of the

amount to be paid and the date payment is due. A lump-sum payment or a monthly payment plan can be agreed upon during the appeal or settlement process.

Injunctive/Other Relief and Civil Penalties

Injunctive/other relief and civil penalty cases are referred to the OAG for action. When a case is resolved through settlement, a portion of the payment is designated a civil penalty and normally deposited to general revenue. The OAG receives the portion designated as attorney fees and costs.

One or more survey or investigative visits may result in a recommendation for civil penalties for an ICF/IID depending on the findings. These visits are generally consolidated into one case per ICF/IID for referral.

A civil penalty may be awarded if the ICF/IID violates a licensing rule and the stat determines that the violation creates a threat to the health and safety of a resident.

Amelioration of Violations

In certain situations, the HHSC executive commissioner can allow, in lieu of demanding payment of an administrative penalty, the use (under the supervision of the agency) of any portion of the penalty to ameliorate the violation or to improve services (other than administrative services) in the ICF/IID affected by the violation.

Trusteeships

LTCR, through the OAG, can petition a court of competent jurisdiction for the involuntary appointment or appointment by agreement of a trustee to operate an ICF/IID if one or more of the following conditions exist:

- The ICF/IID is operating without a license.
- The ICF/IID's license has been suspended or revoked.
- License suspension or revocation procedures against an ICF/IID are pending and an imminent threat to the health and safety of the residents exists.
- An emergency exists that presents an immediate threat to the health and safety of the residents.
- The ICF/IID is closing (whether voluntarily or through an emergency closing order), and arrangements for relocation of the residents to other licensed/certified ICFs/IID or into a waiver program have not been made before closure.

Emergency Suspension and Closing Orders

LTCR will suspend an ICF/IID's license or order an immediate closing of all or part of the ICF/IID if:

- The agency finds that the ICF/IID is operating in violation of licensure rules.
- The violation creates an immediate threat to the health and safety of a resident.

The order suspending a license or closing a part of an ICF/IID is immediately effective on the date the license holder receives written notice or on a later date specified in the order. This suspension of a license may occur simultaneously with any other enforcement provision available to state regulators. The order is effective for 10 days.

Denials of License

LTCR can deny an ICF/IID's license when the ICF/IID does not meet licensure rules or when the ICF/IID fails to maintain compliance with these rules on a continuous basis.

It can deny an ICF/IID's license if an applicant, manager, or affiliate:

- Substantially fails to comply with licensure requirements or has violations that posed or pose a serious threat to health and safety, or fails to maintain compliance on a continuous basis.
- Aids, abets, or permits a substantial violation of Texas Health and Safety Code Chapter 252.
- Fails to submit required information and documents needed to complete the application process or provides false or fraudulent information.
- Fails to pay certain fees.
- Has had a license revoked, has been debarred or excluded, has an unsatisfied final judgment, has been decertified or evicted, has a license suspended, or has a criminal conviction.
- Is subject to denial or refusal as described in Texas Administrative Code, Title 26, Part 1, Chapter 560, Denial or Refund of License.

Revocations of License

LTCR can revoke an ICF/IID's license if it finds that the license holder has violated the requirements established under Texas Health and Safety Code Chapter 252 and

that violation either jeopardizes the health and safety of residents, is repeated, or is a substantial violation of Texas Health and Safety Code Chapter 252.

LTCR also can revoke an ICF/IID's license if the license holder submitted false or misleading statements in the application for license, used subterfuge or other evasive means to obtain a license, concealed a material fact, or failed to disclose information that would have been the basis for denial, or received monetary or other remuneration from a person or agency that furnishes services or materials to the ICF/IID for a fee.

The revocation of a license may occur simultaneously with any other enforcement provision available to LTCR.

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions Administrative Penalties

Region	City	Facility ID	Facility	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
03-Arlington	Bedford	007809	Walnut Community Home	7/25/2018	$126,000	9/9/2018	$10,000	$0
03-Arlington	Grand Prairie	007333	1102 Fort Scott Trail	12/19/2018	$9,100	2/28/2019		$9,100
03-Arlington	Plano	007402	Riverbend Community Home	1/4/2019	$7,750	3/16/2019		$7,750
Totals					**$142,850**		**$10,000**	**$16,850**

3 Total intermediate care facilities for individuals with an intellectual disability or related conditions administrative penalties imposed.

Notes:

1. The imposed column is the total amount of penalty after the state has reviewed and confirmed the administrative penalty citation and amount. This is the amount due and payable if there is no alternative amount resulting from an appeal held or if no settlement agreement is reached.
2. The assessed column is the amount of penalty due after the appeal process has been completed (or an agreement to settle has been reached) and a final amount has been decided, or if the person charged consents to the penalty or does not respond timely to the notice of the penalty.
3. The balance column is the amount of penalty the ICF/IID owes. These amounts do not necessarily reflect the final amount the ICF/IID may owe. The amounts can change based on a hearing or negotiated settlement. An administrative penalty with a negative balance may indicate an overpayment or that the penalty was rescinded after payment.

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions Injunctive/Other Relief and Civil Penalty Referrals to the Office of the Attorney General

HHSC did not refer any ICFs/IID to the OAG for injunctive/other relief and civil penalties for FY 2019.

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions Amelioration of Violations

HHSC did not process any amelioration requests for ICFs/IID in FY 2019.

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions Trusteeships

HHSC did not place a trustee in any ICFs/IID in FY 2019.

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions Emergency Suspension and Closing Orders

HHSC did not issue an emergency suspension and closing order in any ICFs/IID in FY 2019.

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions License Denials and Revocations Proposed

HHSC did not deny or revoke any licenses related to ICFs/IID for FY 2019.

Intermediate Care Facility for Individuals with an Intellectual Disability or Related Conditions Complaint and Incident Intakes

Complaints

A complaint allegation is an assertion that a requirement of state licensure or federal certification has been violated and can come directly from individuals or residents, family members, health care providers, advocates, law enforcement, or other state agencies. Report sources can be oral or written.

Incidents

An incident is an official notification to CII by the facility owner, administrator, designee, or any employee of the facility who has cause to believe that the physical or mental health of an individual has been or may be adversely affected by abuse, neglect, exploitation, or other unusual events or occurrences in accordance with Texas Health and Safety Code Chapter 252; 26 Texas Administrative Code §551.212(b)(1) or the Memorandum of Understanding between HHSC and the Texas Department of Family and Protective Services.

Priority Assignment

CII evaluates each complaint based on its unique circumstances and assigns priorities accordingly. When timeliness is crucial to the health and safety of a consumer(s), such as imminent transfer or discharge, heating or air conditioner equipment failure, alleged staff walkout, etc., an investigation can be initiated immediately by telephone, regardless of the priority code assignment. After the initial telephone contact, an on-site visit is conducted according to the time frame specified by the priority assignment. The priorities for an ICF/IID are:

- Facility 24-hour
- Facility 14-day
- Facility 45-day
- Professional review
- Financial
- Withdrawn
- Not required

Facility 24-hour

Immediate response by LTCR is warranted because a provider allegedly created or allowed a present and ongoing situation in which the provider's noncompliance with one or more requirements of licensure or certification has failed to protect consumers from abuse, neglect, or mistreatment or has caused, or is likely to cause, serious injury, harm, impairment, or death.

Facility 14-day

The present or ongoing threat of continued abuse, neglect, or mistreatment has been removed. The consumer(s) is no longer in imminent danger; however, the provider's alleged noncompliance with one or more requirements of licensure or certification may have or has a high potential to cause harm that impacts a consumer's mental, physical, or psychosocial status and is of such consequence that a rapid response by LTCR is indicated. There is evidence or suspicion that system(s) failure contributed to or brought on the threat. Usually, specific rather than general information (e.g., descriptive identifiers, individual names, date, time, location of occurrence, description of harm) will factor into the assignment of this level of priority.

Facility 45-day

A provider's alleged noncompliance with one or more requirements of licensure or certification has a low potential for more than minimal harm or resulted in physical, mental, or psychosocial harm that did not directly impact consumer health and safety and functional status. This priority also can be assigned for alleged violations of regulations that do not directly impact consumer health and safety.

Professional Review

A professional review priority is assigned by Complaint Intake Call Center staff when a provider self-reports an incident to CII in accordance with Texas Health and Safety Code Chapter 252, 26 Texas Administrative Code §551.213 or 26 Texas Administrative Code §551.225 when the provider's incident report indicates the provider's immediate corrective action is reasonably likely to ensure the safety of individuals while the provider conducts its investigation and a Professional Quality Assurance staff reviews the provider's written investigation report.

Based on review of the facility investigation report, if further investigation is warranted to assess whether the provider complies with regulatory requirements,

professional review staff will change the priority and send notification to the regulatory regional staff to schedule an on-site investigation.

Financial

These investigations involve complaint allegations related to a consumer not having access to their trust funds, failure to maintain trust funds for consumers, or failure to transfer or release trust funds when a consumer is discharged or deceased.

Withdrawn

A complaint report filed with CII is withdrawn at the request of the complainant, except when harm to a resident alleged.

Not Required

CII determines it has no jurisdiction to investigate a complaint or a referral, or a report to another agency, board, or entity is required.

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions All Intakes by Priority and Region

Intake Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	1	0	3	0	0	0	2	3	3	0	1	**13**
Facility 14-day	10	7	23	3	10	24	25	23	41	5	23	**194**
Facility 45-day	18	16	22	3	13	32	43	33	71	13	29	**293**
Professional Review	8	7	10	3	4	16	11	9	36	0	4	**108**
Financial	0	0	0	0	0	1	1	1	0	0	0	**3**
Withdrawn	0	0	0	0	0	0	0	0	0	0	0	**0**
Not Required	0	0	1	0	0	0	1	1	3	0	1	**7**
Total	**37**	**30**	**59**	**9**	**27**	**73**	**83**	**70**	**154**	**18**	**58**	**618**

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions Complaints by Priority and Region

Complaint Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	0	0	3	0	0	0	1	2	3	0	1	**10**
Facility 14-day	1	1	11	1	3	6	11	12	5	2	10	**63**

Complaint Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 45-day	3	4	12	1	4	9	16	17	13	6	14	**99**
Financial	0	0	0	0	0	1	1	1	0	0	0	**3**
Withdrawn	0	0	0	0	0	0	0	0	0	0	0	**0**
Not Required	0	0	0	0	0	0	0	0	0	0	0	**0**
Total	**4**	**5**	**26**	**2**	**7**	**16**	**29**	**32**	**21**	**8**	**25**	**175**

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions Incidents by Priority and Region

Incident Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	1	0	0	0	0	0	1	1	0	0	0	**3**
Facility 14-day	9	6	12	2	7	18	14	11	36	3	13	**131**
Facility 45-day	15	12	10	2	9	23	27	16	58	7	15	**194**
Professional Review	8	7	10	3	4	16	11	9	36	0	4	**108**
Not Required	0	0	1	0	0	0	1	1	3	0	1	**7**
Total	**33**	**25**	**33**	**7**	**20**	**57**	**54**	**38**	**133**	**10**	**33**	**443**

Appendix F. Nursing Facility (NF)

Nursing Facility Actions

The tables in this appendix contain information relating to Texas Health and Safety Code, Title 4, Subtitle B, Chapter 242, Convalescent and Nursing Homes and Related Institutions, NF actions, by category, for fiscal year (FY) 2019, quarters 1 and 2.

Administrative Penalties

LTCR can assess administrative penalties for each violation of the statutes or rules, including each violation found in a single survey. A violation that is the subject of a penalty is presumed to continue on each successive day until it is corrected. The date of correction alleged by the NF in its written plan of correction will be presumed to be the actual date of correction unless it is later determined by LTCR that the correction was not made by that day or was not satisfactory.

LTCR can impose an administrative penalty against:

- An applicant for a license
- A license holder
- A partner, officer, director, or managing employee of an applicant or a license holder
- A person who controls a NF

Basis for Imposing

LTCR can impose an administrative penalty when a NF licensed under Texas Health and Safety Code Chapter 242, fails to meet specified rules and requirements found in Texas Administrative Code, Title 40, Part 1, Chapter 19, Nursing Facility Requirements for Licensure and Medicaid Certification.

LTCR can assess an administrative penalty against a person who:

- Violates Texas Health and Safety Code Chapter 242 or a rule, standard, or order adopted, or license issued, under Texas Health and Safety Code Chapter 242.
- Makes a false statement, that the person knows or should know is false, of a material fact:

    - On an application for issuance or renewal of a license or in an attachment to the application.
    - With respect to a matter under investigation by the state regulatory agency.
- Refuses to allow a representative of the agency to inspect:
    - A book, record, or file required to be maintained by a NF.
    - Any portion of the premises of a NF.
- Willfully interferes with the work of a representative of the state agency or the enforcement of this chapter.
- Willfully interferes with a representative of the state preserving evidence of a violation of a rule, standard or order adopted, or license issued, under Texas Health and Safety Code Chapter 242.
- Fails to pay a penalty assessed by the state under Texas Health and Safety Code Chapter 242, by the 10th day after the date the assessment of the penalty becomes final.
- Fails to notify the state regulatory agency of a change of ownership before the effective date of the change of ownership.

No NF will be penalized because of a physician's or consultant's nonperformance beyond the NF's control or if documentation clearly indicates the violation is beyond the NF's control.

Imposed

An action can be recommended by:

- The regional survey or investigation team and supported during enforcement review.
- Regional or state office regulatory staff, considering the survey or investigation findings or evaluating the NF's history and performance.

LTCR imposes the action when the administrative penalty recommendation has been reviewed and confirmed by state office staff. The NF is formally notified of the administrative penalty citation, the penalty amount, and the due date. Additionally, the notice includes information about the appeal process available to the NF.

Assessed

Penalties assessed are the final actions after the appeal process has been completed (or an agreement to settle has been reached) and a final amount has been decided, or the NF consents to the administrative penalty, fails to respond to

the LTCR's notice letter in a timely manner, or fails to correct the violation to LTCR's satisfaction. The NF is notified of the amount to be paid and the date payment is due. A lump-sum payment or a monthly payment plan can be agreed upon during the appeal or settlement process.

Injunctive/Other Relief and Civil Penalties

LTCR refers injunctive/other relief and civil penalty cases to the OAG for action. A civil penalty may be awarded if a NF violates a licensing rule and LTCR determines the violation threatens the health and safety of a resident. When a case is resolved through settlement, a portion of the payment is designated a civil penalty and normally deposited to general revenue. The OAG collects attorney fees and costs for civil penalty cases.

One or more survey or investigative visits for a NF can be referred for civil penalty. These multiple visits are generally consolidated into one case per NF for referral.

Amelioration of Violations

In certain situations, the HHSC executive commissioner can allow, in lieu of demanding payment of an administrative penalty, the use (under the supervision of the agency) of any portion of the penalty to ameliorate the violation or to improve services (other than administrative services) in the NF affected by the violation.

Trusteeships

LTCR, through the OAG, can petition a court of competent jurisdiction for the involuntary appointment of a trustee to operate a NF if one or more of the following conditions exist:

- The NF is operating without a license.
- The NF's license has been suspended or revoked.
- License suspension or revocation procedures against a NF are pending and an imminent threat to the health and safety of the residents exists.
- An emergency exists that presents an immediate threat to the health and safety of the residents.
- The NF is closing and arrangements for relocation of the residents to other licensed institutions have not been made before closure.

Emergency Suspension and Closing Orders

LTCR can suspend a NF's license or order an immediate closing of all or part of the NF if:

- It finds the NF is operating in violation of licensure rules.
- The violation creates an immediate threat to the health and safety of a resident.

The order suspending a license or closing a part of a NF is immediately effective on the date the license holder receives a written notice or on a later date specified in the order. This suspension of a license may occur simultaneously with any other enforcement provision available to LTCR. The order is valid for 10 days.

Suspension of Admissions

If LTCR finds that a NF has committed an act for which a civil penalty can be imposed under Texas Health and Safety Code §242.065, the HHSC executive commissioner can order the NF to immediately suspend admissions.

Denial of License

LTCR can deny a NF's license when the NF does not meet licensure rules or when the NF does not have a satisfactory history of compliance with state and federal NF regulations.

LTCR can deny a NF's license if the applicant or controlling party:

- Does not have a satisfactory history of compliance.
- Fails to submit required information and documents needed to complete the application process.
- Has had a license revoked, has allowed a license to expire or surrendered a license when revocation action was pending, has been debarred or excluded, has an unsatisfied final judgment, has been decertified or evicted, has had a license suspended, or has a criminal conviction.
- Violated Texas Health and Safety Code Chapter 242 or a rule, standard, or order adopted, or license issued, under Texas Health and Safety Code Chapter 242, in either a repeated or substantial manner, or aids, abets, or permits a substantial violation of Texas Health and Safety Code Chapter 242.
- Fails to pay certain fees.
- Committed any act described by Texas Health and Safety Code §242.066(a)(2)-(6).

- Fails to comply with Texas Health and Safety Code §242.074.
- Fails to meet the minimum standards of financial condition.
- Fails to notify the state survey agency of a significant adverse change in financial condition.
- Is subject to denial or refusal as described in Texas Administrative Code, Title 26, Part 1, Chapter 560, Denial or Refusal of License.

Revocation of License

LTCR can revoke a license if the license holder (or other person described in Texas Health and Safety Code §242.032(d)):

- Violated Texas Health and Safety Code Chapter 242 or a rule, standard, or order adopted, or license issued, under Texas Health and Safety Code Chapter 242, in either a repeated or substantial manner.
- Committed any act described by Texas Health and Safety Code §242.066(a)(2)-(6).
- Failed to comply with Texas Health and Safety Code §242.074.

The revocation of a license can occur simultaneously with any other enforcement provision available to LTCR.

Civil Money Penalties

To participate in the Medicare or Medicaid program, or both, LTC facilities must be certified as meeting federal participation requirements. LTC facilities include SNF for Medicare and NF for Medicaid. Among the remedies available to the Secretary of the US Department of Health and Human Services, Administrator for the Centers for Medicare and Medicaid Services (CMS) and the state under the Social Security Act to address NF noncompliance is a civil money penalty (CMP). CMPs can be imposed to remedy noncompliance at amounts not to exceed $21,393 per day. The statute additionally permits the Secretary and the state to impose a CMP for past instances of noncompliance even if a NF is in compliance at the time of a current survey. In accordance with Code of Federal Regulations, Title 42, Chapter IV, Subchapter G, Part 488, Subpart F, Section 488.436, CMPs: waiver of hearing, reduction of penalty amount, if the NF waives the right to a hearing, in writing, within 60 days from the date of the notice imposing the civil money penalty, CMS or the state reduces the civil money penalty amount by 35 percent.

Federal regulations allow for penalties to be imposed, in varying increments, in the following amounts:

- $6,525 to $21,393 per day for deficiencies constituting immediate jeopardy
- $107 to $6,417 per day when immediate jeopardy does not exist, but the violation either caused actual harm or caused no actual harm but has the potential for more than minimal harm

CMS and LTCR can also impose penalties on a "per-instance" basis of noncompliance; the penalties range between $2,140 to $21,393 per instance.

In determining the amount of penalty, CMS or LTCR must take into account:

- The NF's history of noncompliance, including repeated deficiencies
- The NF's financial condition
- The factors specified in 42 CFR §488.404 (regarding the seriousness of the deficiency)
- The NF's degree of culpability

CMS can impose CMPs against Medicare or Medicare/Medicaid-certified NFs. LTCR can impose CMPs only against Medicaid-certified NFs.

Nursing Facility Administrative Penalties

Region	City	Facility ID	Facility	Visit Exit Date	Imposed	Date Imposed	Assessed	Balance
01-Lubbock	Amarillo	004604	Georgia Manor Nursing Home	10/17/2018	$4,200	10/17/2018		$0
01-Lubbock	Lubbock	000128	Carillon Inc	10/26/2018	$1,500	10/26/2018		$1,500
03-Arlington	Fort Worth	000274	Cityview Care Center	10/26/2018	$134,000	10/26/2018		$134,000
11-Corpus Christi	Brownsville	005259	Ebony Lake Nursing and Rehabilitation Center	9/4/2018	$1,500	9/4/2018	$1,500	$0
11-Corpus Christi	Rockport	005295	Oak Crest Nursing Center	10/14/2018	$108,000	10/14/2018		$108,000
Totals					**$249,200**		**$1,500**	**$243,500**

5 Total nursing facility administrative penalties imposed.

Notes:

1. The imposed column is the total amount of penalty after the state has reviewed and confirmed the administrative penalty citation and amount. This is the amount due and payable if no alternative amount results from an appeal held or settlement agreement reached.
2. The assessed column is the amount due after the appeal process has been completed (or an agreement to settle has been reached) and a final amount has been decided, or the NF consents to the administrative penalty, fails to respond to the agency's notice letter in a timely manner, or fails to correct the violation to the agency's satisfaction.
3. The balance column is the amount of penalty the NF owes. These amounts do not necessarily reflect the final amount the NF may owe. The amounts can change based on a hearing or negotiated settlement. An administrative penalty with a negative balance may indicate an overpayment or that the penalty was rescinded after payment.

Nursing Facility Injunctive/Other Relief and Civil Penalty Referrals to the Office of the Attorney General

HHSC did not refer any NFs for injunctive/other relief and civil penalty referrals to the OAG in FY 2019.

Nursing Facility Amelioration of Violations

Region	City	Facility ID	Facility	Decision	Decision Date	Amount Ameliorated
06-Houston	Katy	103520	Heritage Park of Katy Nursing and Rehabilitation	Denied	1/7/2019	$0
06-Houston	Richmond	102294	Park Manor of Westchase	Denied	11/6/2018	$0
08-San Antonio	San Antonio	005109	Senior Care of Windcrest	Withdrawn	1/8/2019	$0

3 Total nursing facility ameliorations processed.

Nursing Facility Trusteeships

HHSC did not order any trustees placed in NFs in FY 2019.

Nursing Facility Closures Under Trusteeship

HHSC did not close any NFs under trusteeship in FY 2019.

Nursing Facility Emergency Suspension and Closing Orders

HHSC did not issue any emergency suspension or closing orders to a NF in FY 2019.

Nursing Facility Suspensions of Admission

HHSC did not issue any suspension of admission orders to a NF in FY 2019.

Nursing Facility License Denials and Revocations

HHSC did not deny or revoke any licenses related to NFs for FY 2019.

Nursing Facility Civil Money Penalties

Region	City	Facility ID	Facility	Visit Date	Imposed	Waiver	Balance Due	IA
01-Lubbock	Lubbock	004072	Bender Terrace of Lubbock	09/19/2018	$14,505	$14,505	$0	F
01-Lubbock	Lubbock	004491	Mi Casita LTC Partners Inc	12/13/2018	$20,965	$20,965	$20,965	F
02-Abilene	Abilene	005033	The Oaks at Radford Hills	10/15/2018	$20,965	$13,627	$0	F
02-Abilene	Ballinger	004445	Ballinger Healthcare and Rehabilitation Center	02/22/2019	$11,225	$11,225	$11,225	F
02-Abilene	Cisco	004250	Cisco Nursing & Rehabilitation	01/10/2019	$15,805	$15,805	$15,805	F
02-Abilene	Coleman	004161	Holiday Hill Inc	02/05/2019	$18,370	$18,370	$18,370	F
03-Arlington	Cedar Hill	102675	Crestview Court	09/15/2018	$13,505	$8,778	$0	F
03-Arlington	Celina	101456	Settlers Ridge Care Center	12/21/2018	$21,220	$21,220	$21,220	F
03-Arlington	Cleburne	103468	Ridgeview Rehabilitation and Skilled Nursing	01/14/2019	$20,930	$20,930	$20,930	F
03-Arlington	Dallas	005126	Brentwood Place One	09/17/2018	$21,574	$14,023	$8,535	F
03-Arlington	Dallas	004988	Brentwood Place Three	01/31/2019	$10,805	$10,805	$10,805	F
03-Arlington	Dallas	004755	Skyline Nursing Center	01/18/2019	$21,393	$21,393	$21,393	F
03-Arlington	Dallas	004607	South Dallas Nursing & Rehabilitation	12/05/2018	$12,505	$12,505	$12,505	F
03-Arlington	Dallas	005361	The Meadows Health and Rehabilitation Center	11/03/2018	$38,470	$38,470	$38,470	F
03-Arlington	Dallas	004035	The Villa at Mountain View	09/27/2018	$12,410	$8,067	$0	F
03-Arlington	Dallas	000114	Treemont Healthcare and Rehabilitation Center	12/22/2018	$43,745	$43,745	$43,745	F
03-Arlington	Denton	101682	Senior Care Health & Rehabilitation Center-Denton	02/06/2019	$37,600	$37,600	$37,600	F

Region	City	Facility ID	Facility	Visit Date	Imposed	Waiver	Balance Due	IA
03-Arlington	Fort Worth	000274	Cityview Care Center	10/26/2018	$18,000	$18,000	$18,000	F
03-Arlington	Fort Worth	005371	Fireside Lodge Retirement Center Inc	10/10/2018	$10,805	$7,023	$7,023	F
03-Arlington	Fort Worth	004780	Fort Worth Wellness & Rehabilitation	01/11/2019	$15,805	$15,805	$15,805	F
03-Arlington	Fort Worth	005197	Ft Worth Southwest Nursing Center	10/06/2018	$27,000	$27,000	$27,000	F
03-Arlington	Fort Worth	000277	Garden Terrace Alzheimer's Center of Excellence	02/23/2019	$94,820	$94,820	$94,820	F
03-Arlington	Fort Worth	004980	Trinity Healthcare Residence	11/16/2018	$506,734	$329,377	$329,377	F
03-Arlington	Garland	106742	Legend Oaks Healthcare and Rehabilitation Garland	10/18/2018	$14,505	$14,505	$14,505	F
03-Arlington	Grapevine	005052	Woodridge Nursing & Rehabilitation	11/28/2018	$20,695	$13,452	$13,452	F
03-Arlington	Mansfield	102788	Kindred Transitional Care and Rehabilitation-Mansfield	10/13/2018	$227,457	$147,847	$0	F
03-Arlington	Mesquite	005142	West Lake Healthcare Residence	01/28/2019	$582,575	$582,575	$582,575	F
03-Arlington	Pilot Point	005220	Countryside Nursing and Rehabilitation LP	02/01/2019	$45,140	$45,140	$45,140	F
03-Arlington	Plano	105697	Accel At Willow Bend	12/07/2018	$10,805	$10,805	$10,805	F
03-Arlington	Rockwall	004076	Rockwall Nursing Care Center	09/15/2018	$173,817	$173,817	$173,817	F
03-Arlington	Southlake	104244	The Carlyle At Stonebridge Park	01/25/2019	$32,625	$32,625	$32,625	F
03-Arlington	Willow Park	105943	Willow Park Rehabilitation and Care Center	09/22/2018	$52,162	$52,162	$52,162	F
04-Tyler	Carthage	005329	Briarcliff Skilled Nursing Facility	11/14/2018	$26,893	$26,893	$26,893	F

Region	City	Facility ID	Facility	Visit Date	Imposed	Waiver	Balance Due	IA
04-Tyler	Carthage	005329	Briarcliff Skilled Nursing Facility	12/08/2018	$21,707	$21,707	$21,707	F
04-Tyler	De Kalb	004553	Ponderosa Nursing and Rehabilitation Center	01/03/2019	$20,965	$20,965	$20,965	F
04-Tyler	Gilmer	005293	Focused Care of Gilmer	01/18/2019	$54,400	$54,400	$54,400	F
04-Tyler	Jacksonville	004986	Gardendale Rehabilitation and Nursing Center	12/27/2018	$6,305	$6,305	$6,305	F
04-Tyler	Jacksonville	102529	Senior Care of Jacksonville	09/25/2018	$15,805	$15,805	$15,805	F
04-Tyler	Jefferson	005288	Magnolia Place	12/20/2018	$14,305	$14,305	$14,305	F
04-Tyler	Longview	005218	Clairmont Longview	02/06/2019	$17,505	$17,505	$17,505	F
04-Tyler	Longview	004160	Highland Pines Nursing Home	02/15/2019	$12,010	$12,010	$12,010	F
04-Tyler	Longview	005217	Summer Meadows	12/13/2018	$16,005	$16,005	$16,005	F
04-Tyler	Longview	005374	Whispering Pines Lodge	10/19/2018	$14,305	$9,298	$9,407	F
04-Tyler	Mineola	005037	Mineola Healthcare Residence	11/06/2018	$14,305	$14,305	$14,305	F
04-Tyler	Mount Vernon	004659	Mission Manor Healthcare Residence	10/24/2018	$18,540	$18,540	$18,540	F
04-Tyler	Mount Vernon	004659	Mission Manor Healthcare Residence	11/14/2018	$86,152	$86,152	$86,152	F
04-Tyler	Mount Vernon	004659	Mission Manor Healthcare Residence	11/21/2018	$5,460	$5,460	$5,460	F
04-Tyler	Overton	004996	Overton Healthcare Center	09/25/2018	$7,705	$5,008	$0	F
04-Tyler	Palestine	005360	Legacy at Town Creek	01/22/2019	$11,805	$7,673	$7,673	F
04-Tyler	Paris	004958	Brentwood Terrace Healthcare and Rehabilitation	10/03/2018	$12,000	$7,800	$0	F
04-Tyler	Quitman	004108	Heritage Healthcare Residence	02/01/2019	$112,763	$112,763	$112,763	F

Region	City	Facility ID	Facility	Visit Date	Imposed	Waiver	Balance Due	IA
04-Tyler	Tyler	005081	Greenbrier Nursing & Rehabilitation Center of Tyler	09/18/2018	$13,305	$8,648	$0	F
05-Beaumont	Beaumont	103739	Jefferson Nursing and Rehabilitation Center	12/13/2018	$11,805	$11,805	$11,805	F
05-Beaumont	Beaumont	004061	PHP The Oaks at Beaumont	02/05/2019	$10,805	$10,805	$10,805	F
05-Beaumont	Nacogdoches	004936	Lexington Place Nursing & Rehabilitation	01/03/2019	$10,805	$10,805	$10,805	F
05-Beaumont	Nacogdoches	004387	Oak Manor Nursing Home	12/19/2018	$41,930	$41,930	$41,930	F
05-Beaumont	Nacogdoches	103011	Senior Care of Stallings Court	11/29/2018	$10,805	$10,805	$10,805	F
06-Houston	Bellville	005151	Colonial Belle Nursing Home	09/20/2018	$11,005	$7,153	$0	F
06-Houston	Columbus	004430	Columbus Oaks Healthcare Community	11/01/2018	$63,855	$41,506	$0	F
06-Houston	Conroe	106672	BrightPointe at Rivershire	10/03/2018	$19,505	$12,678	$0	F
06-Houston	Houston	004811	Ashford Gardens	01/17/2019	$47,616	$47,616	$47,616	F
06-Houston	Houston	105594	Bridgecrest Rehabilitation Suites	02/14/2019	$11,010	$11,010	$11,010	F
06-Houston	Houston	004610	Brookhollow Heights Transitional Care Center	01/29/2019	$16,000	$16,000	$16,000	F
06-Houston	Houston	004446	Galleria Residence and Rehabilitation Center	11/29/2018	$37,010	$37,010	$37,010	F
06-Houston	Houston	004446	Galleria Residence and Rehabilitation Center	02/13/2019	$14,700	$14,700	$14,700	F
06-Houston	Houston	110098	Highland Park Care Center	02/21/2019	$12,010	$12,010	$12,010	F
06-Houston	Houston	104200	Legend Oaks Healthcare and Rehabilitation - North	01/12/2019	$61,020	$61,020	$61,020	F
06-Houston	Houston	102294	Park Manor of Westchase	11/21/2018	$13,490	$8,769	$0	F

Region	City	Facility ID	Facility	Visit Date	Imposed	Waiver	Balance Due	IA
06-Houston	Houston	102294	Park Manor of Westchase	01/25/2019	$15,805	$15,805	$15,805	F
06-Houston	Houston	102407	The Buckingham	11/08/2018	$10,805	$10,805	$0	F
06-Houston	Houston	000184	The Vosswood Nursing Center	10/08/2018	$43,361	$43,361	$43,361	F
06-Houston	Houston	004826	Winterhaven Healthcare Residence	09/05/2018	$16,500	$16,500	$16,596	F
06-Houston	Houston	004371	Woodridge Nursing & Rehabilitation	10/10/2018	$10,000	$6,500	$0	F
06-Houston	Houston	004371	Woodridge Nursing & Rehabilitation	10/29/2018	$20,965	$13,627	$0	F
06-Houston	Huntsville	004439	Huntsville Health Care Center	01/03/2019	$13,505	$13,505	$13,505	F
06-Houston	Katy	005196	Oakmont Healthcare and Rehabilitation Center of Katy	02/20/2019	$94,000	$94,000	$94,000	F
06-Houston	Katy	106784	Sterling Oaks Rehabilitation	02/05/2019	$102,805	$102,805	$102,805	F
06-Houston	Missouri City	105892	Windsor Quail Valley Post-Acute Healthcare	12/21/2018	$36,016	$36,016	$36,016	F
06-Houston	Pasadena	005048	Pasadena Care Center	09/04/2018	$16,005	$10,403	$10,628	F
06-Houston	Pasadena	005048	Pasadena Care Center	12/13/2018	$35,277	$35,277	$35,277	F
06-Houston	Pasadena	005048	Pasadena Care Center	01/24/2019	$3,960	$3,960	$3,960	F
06-Houston	Pearland	103557	The Colonnades at Reflection Bay	02/15/2019	$11,225	$11,225	$11,225	F
06-Houston	Richmond	004511	Richmond Health Care Center	09/13/2018	$17,005	$11,053	$0	F
06-Houston	Richmond	004511	Richmond Health Care Center	02/06/2019	$11,225	$11,225	$11,225	F
06-Houston	Texas City	004549	Bay Oaks Health Care Center	02/08/2019	$13,710	$13,710	$13,710	F
06-Houston	Tomball	104224	Grace Care Center at Northpointe	11/09/2018	$11,805	$7,673	$0	F

Region	City	Facility ID	Facility	Visit Date	Imposed	Waiver	Balance Due	IA
06-Houston	Tomball	005135	Lawrence Street Health Care Center	02/06/2019	$12,300	$12,300	$12,300	F
06-Houston	Wharton	004115	Wharton Nursing and Rehabilitation Center	12/20/2018	$10,000	$10,000	$10,000	F
07-Austin	Austin	000262	Brookdale Spicewood Springs	02/08/2019	$275,840	$275,840	$275,840	F
07-Austin	Austin	100244	Park Bend SN Health Center	10/05/2018	$31,505	$31,505	$31,505	F
07-Austin	Bremond	005161	Bremond Nursing and Rehabilitation Center	09/08/2018	$25,263	$16,421	$0	F
07-Austin	Caldwell	103889	Copperas Hollow Nursing & Rehabilitation Center	09/13/2018	$158,836	$103,243	$86,036	F
07-Austin	Cedar Park	106940	Cedar Pointe Health and Wellness Suites	10/12/2018	$10,805	$7,023	$0	F
07-Austin	College Station	004952	Fortress Nursing and Rehabilitation LP	10/15/2018	$12,464	$8,102	$8,102	F
07-Austin	Gatesville	005091	Hillside Medical Lodge	02/08/2019	$21,393	$21,393	$21,393	F
07-Austin	Lampasas	004906	Regal Healthcare Residence	10/11/2018	$609,564	$609,564	$609,564	F
07-Austin	Waco	004390	Lake Shore Village Healthcare Center	01/28/2019	$10,805	$10,805	$10,805	F
08-San Antonio	New Braunfels	103443	Sundance Inn Health Center	02/07/2019	$11,225	$11,225	$11,225	F
08-San Antonio	San Antonio	005058	Meridian Care at Grayson Square	12/12/2018	$17,298	$17,298	$17,298	F
08-San Antonio	San Antonio	004417	River City Care Center	01/21/2019	$108,420	$108,420	$108,420	F
09-Abilene	Fort Stockton	005310	Fort Stockton Living & Rehabilitation	09/14/2018	$20,965	$20,965	$20,965	F
09-Abilene	Midland	103255	Senior Care of Midland	10/26/2018	$10,000	$10,000	$10,000	F

Region	City	Facility ID	Facility	Visit Date	Imposed	Waiver	Balance Due	IA
09-Abilene	Midland	005136	Terrace West Nursing and Rehabilitation LP	10/11/2018	$152,570	$99,171	$0	F
09-Abilene	Odessa	105632	Madison Medical Resort	10/04/2018	$10,805	$7,023	$0	F
09-Abilene	Odessa	005221	Parks Health Center	11/13/2018	$11,005	$7,153	$7,153	F
10-El Paso	El Paso	106904	Cimarron Park Nursing and Rehabilitation Center	09/07/2018	$27,493	$17,870	$18,133	F
11-Corpus Christi	Corpus Christi	005114	Corpus Nursing and Rehabilitation LP	11/04/2018	$40,010	$40,010	$40,010	F
11-Corpus Christi	Corpus Christi	004567	Retama Manor Nursing Center	11/30/2018	$20,965	$13,627	$0	F
11-Corpus Christi	Corpus Christi	005039	Windsor Nursing and Rehabilitation Center of Corpus	10/29/2018	$62,525	$62,525	$62,525	F
11-Corpus Christi	Falfurrias	004951	Falfurrias Nursing and Rehabilitation LP	09/05/2018	$3,150	$3,150	$0	F
11-Corpus Christi	Kingsville	004571	Kleberg County Nursing and Rehabilitation LP	09/19/2018	$19,505	$12,678	$0	F
11-Corpus Christi	Rockport	005295	Oak Crest Nursing Center	10/14/2018	$38,352	$38,352	$38,352	F
Totals					**$5,301,585**	**$4,767,271**	**$4,252,129**	

112 Total nursing facility civil money penalties imposed.

Notes:

1. The imposed column is the total amount of penalty after the review and confirmation of the civil money penalty citation and amount. This is the amount due and payable if no alternative amount results from an appeal held, waiver, or if no settlement agreement reached.
2. The waiver column is the amount due if the NF satisfies waiver requirements.
3. The balance due column is the amount of penalty the NF owes. The amount in this column does not necessarily reflect the final amount the NF may owe. The amounts can change based on a hearing or negotiated settlement. This amount may include 35% reduction due to the acceptance of a waiver.

4. The “IA” column indicates the imposing authority. An “F” (federal) appears for Centers for Medicare and Medicaid Services-imposed penalties and an “S” (state) appears for state-imposed penalties. The state imposes civil money penalties on Medicaid-only facilities.

Nursing Facility Complaint and Incident Intakes

Complaints

A complaint is any allegation received by CII other than an incident reported by the facility. Such allegations include, but are not limited to, abuse, neglect, exploitation, or violation of state or federal standards and can be reported by residents, family members or others.

Incidents

An incident is an official notification to CII from a NF provider that the physical or mental health or welfare of a resident has been or might be adversely affected by mistreatment, neglect, or abuse. These reports also include injuries of unknown source and exploitation or misappropriation of resident property.

Priority Assignment

CII evaluates each complaint or incident based on its unique circumstances and assigns priorities accordingly. When timeliness is crucial to the health and safety of a resident(s), such as in a situation of heating or air conditioner equipment failure, alleged staff walkout, etc., an investigation can be initiated immediately by telephone, regardless of the priority code assignment. After the initial telephone contact, an on- site visit is conducted according to the timeframe specified by the priority assignment. The priorities available for a NF are:

- Facility 24-hour
- Facility 14-day
- Facility 30-day
- Facility 45-day
- Professional review
- Financial (Medicaid facilities only)
- Withdrawn
- Not required

Facility 24-hour

Immediate response by LTCR is warranted because a provider allegedly created or allowed a present and ongoing situation in which the provider's noncompliance with one or more requirements of licensure or certification has failed to protect residents

from abuse, neglect, or mistreatment or has caused, or is likely to cause, serious injury, harm, impairment, or death to a resident.

Facility 14-day

The present or ongoing threat of continued abuse, neglect, or mistreatment has been removed. The resident is no longer in imminent danger; however, the provider's alleged noncompliance with one or more requirements of licensure or certification may have or has a high potential to cause harm that impacts a resident's mental, physical, or psychosocial status and is of such consequence that a rapid response by LTCR is indicated. There is evidence or suspicion that system(s) failure contributed to or brought on the threat. Usually, specific rather than general information (e.g., descriptive identifiers, individual names, date, time, location of occurrence, description of harm) will factor into the assignment of this level of priority.

Facility 30-day

A provider's alleged noncompliance with one or more requirements of licensure or certification has caused or may cause harm that is of limited consequence and does not significantly impair the resident's mental, physical, or psychosocial status.

Facility 45-day

A provider's alleged noncompliance with one or more requirements of licensure or certification has a low potential for more than minimal harm or resulted in physical, mental, or psychosocial harm that did not directly affect consumer or resident health and safety and functional status. This priority also can be assigned for alleged violations of regulations that do not directly impact resident health and safety.

Professional Review

A provider who has cause to believe that the physical or mental health or welfare of a resident has been or may be adversely affected by mistreatment, neglect, or abuse must self-report to CII immediately upon learning of the alleged conduct or conditions. This notice could include injuries of unknown source and exploitation/ misappropriation of resident property.

CII staff assign a professional review priority when a provider self- reports an incident and indicates that the provider's immediate corrective action is reasonably likely to ensure that abuse, neglect, mistreatment, or injury to the resident will not occur again, or at least not while the provider conducts its investigation and an intake specialist reviews the provider's written investigation report.

Based on review of the facility investigation report, if further investigation is warranted to assess whether the provider's abuse prohibition policies ensure compliance with regulatory requirements, CII will send notification to LTCR regional staff to schedule an on-site investigation.

Financial (Medicaid Facilities Only)

These investigations involve complaint allegations related to a Medicaid-certified NF's failure to appropriately manage resident trust funds or applied income, or failure to reimburse prorated refunds due to a resident when the resident is admitted to a Medicaid bed or has been discharged.

Withdrawn

A complaint report filed with CII is withdrawn at the request of the complainant, except when harm to a resident alleged.

Not Required

CII determines it has no jurisdiction to investigate a complaint or a referral, or a report to another agency, board, or entity is required.

Nursing Facility All Intakes by Priority and Region

Intake Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	24	20	113	27	17	71	75	57	13	5	19	**441**
Facility 14-day	156	110	871	296	143	585	414	415	78	45	178	**3,291**
Facility 30-day	134	115	977	310	152	600	455	416	79	61	178	**3,477**
Facility 45-day	116	117	1,026	345	173	457	420	419	101	38	144	**3,356**
Professional Review	98	92	894	261	105	299	304	281	61	25	100	**2,520**
Financial	6	13	106	40	14	36	87	58	3	8	17	**388**
Withdrawn	2	2	3	6	5	3	4	8	0	1	1	**35**
Not Required	0	1	4	6	2	9	5	36	0	1	0	**34**
Total	**536**	**470**	**3,994**	**1,291**	**611**	**2,060**	**1,764**	**1,660**	**335**	**184**	**637**	**13,542**

Nursing Facility Complaints by Priority and Region

Complaint Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	24	19	101	25	17	65	73	55	13	4	18	**414**
Facility 14-day	63	54	395	141	68	280	182	200	45	17	62	**1,507**
Facility 30-day	71	68	505	157	71	315	250	261	45	37	71	**1,851**
Facility 45-day	37	41	327	90	51	173	134	133	22	21	42	**1,071**
Financial	6	13	102	39	14	35	82	56	3	8	17	**375**
Withdrawn	2	2	3	6	5	3	4	8	0	1	1	**35**
Not Required	0	0	0	1	0	1	0	0	0	0	0	**2**
Total	**203**	**197**	**1,433**	**459**	**226**	**872**	**725**	**713**	**128**	**88**	**211**	**5,255**

Nursing Facility Incidents by Priority and Region

Incident Priority	01	02	03	04	05	06	07	08	09	10	11	Total
Facility 24-hour	0	1	12	2	0	6	2	2	0	1	1	**27**
Facility 14-day	93	56	476	155	75	305	232	215	33	28	116	**1,784**
Facility 30-day	63	47	472	153	81	285	205	155	34	24	107	**1,626**
Facility 45-day	79	76	699	255	122	284	286	286	79	17	102	**2,285**
Professional Review	98	92	894	261	105	299	304	281	61	25	100	**2,520**
Financial	0	0	4	1	0	1	5	2	0	0	0	**13**
Not Required	0	1	4	5	2	8	5	6	0	1	0	**32**
Total	**333**	**273**	**2,561**	**832**	**385**	**1,188**	**1,039**	**947**	**207**	**96**	**426**	**8,287**

Appendix G. Trends

Trends in Long-Term Care Facilities, Home and Community Support Services Agencies, and Waiver Programs

HHSC Regions in Texas

Regions and the Counties They Serve

Region 1: High Plains

Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Crosby, Dallam, Deaf Smith, Dickens, Donley, Floyd, Garza, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley, Hutchinson, King, Lamb, Lipscomb,

Lubbock, Lynn, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Terry, Wheeler, Yoakum

Region 2: Northwest Texas

Archer, Baylor, Brown, Callahan, Clay, Coleman, Comanche, Cottle, Eastland, Fisher, Foard, Hardeman, Haskell, Jack, Jones, Kent, Knox, Mitchell, Montague, Nolan, Runnels, Scurry, Shackelford, Stonewall, Stephens, Taylor, Throckmorton, Wichita, Wilbarger, Young

Region 3: Metroplex

Collin, Cooke, Dallas, Denton, Ellis, Erath, Fannin, Grayson, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, Tarrant, Wise

Region 4: Upper East Texas

Anderson, Bowie, Camp, Cass, Cherokee, Delta, Franklin, Gregg, Harrison, Henderson, Hopkins, Lamar, Marion, Morris, Panola, Rains, Red River, Rusk, Smith, Titus, Upshur, Van Zandt, Wood

Region 5: Southeast Texas

Angelina, Hardin, Houston, Jasper, Jefferson, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Shelby, Trinity, Tyler

Region 6: Gulf Coast

Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Harris, Liberty, Matagorda, Montgomery, Walker, Waller, Wharton

Region 7: Central Texas

Bastrop, Bell, Blanco, Bosque, Brazos, Burleson, Burnet, Caldwell, Coryell, Falls, Fayette, Freestone, Grimes, Hamilton, Hays, Hill, Lampasas, Lee, Leon, Limestone, Llano, Madison, McLennan, Milam, Mills, Robertson, San Saba, Travis, Washington, Williamson

Region 8: Upper South Texas

Atascosa, Bandera, Bexar, Calhoun, Comal, DeWitt, Dimmit, Edwards, Frio, Gillespie, Goliad, Gonzales, Guadalupe, Jackson, Karnes, Kendall, Kerr, Kinney, La Salle, Lavaca, Maverick, Medina, Real, Uvalde, Val Verde, Victoria, Wilson, Zavala

Region 9: West Texas

Andrews, Borden, Coke, Concho, Crane, Crockett, Dawson, Ector, Gaines, Glasscock, Howard, Irion, Kimble, Loving, Martin, Mason, McCulloch, Menard, Midland, Pecos, Reagan, Reeves, Schleicher, Sterling, Sutton, Terrell, Tom Green, Upton, Ward, Winkler

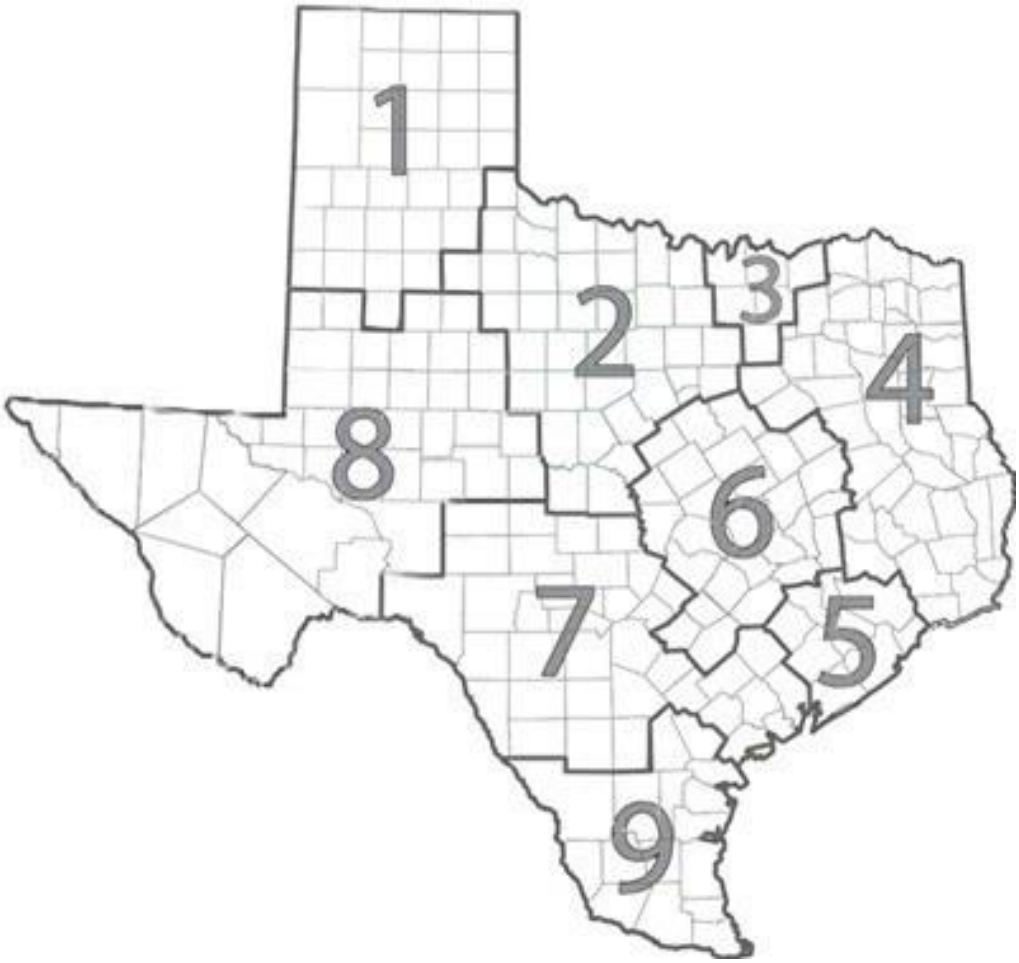
Region 10: Upper Rio Grande

Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Presidio

Region 11: Lower South Texas

Aransas, Bee, Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, Live Oak, McMullen, Nueces, Refugio, San Patricio, Starr, Webb, Willacy, Zapata

HHSC Waiver Contract Areas



Waiver Contract Areas and the Counties They Serve

Area 1

Armstrong, Bailey, Briscoe, Carson, Castro, Cochran, Collingsworth, Crosby, Dallam, Deaf Smith, Donley, Floyd, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley, Hutchinson, Lamb, Lipscomb, Lubbock, Lynn, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler

Area 2

Archer, Baylor, Brown, Callahan, Childress, Clay, Coleman, Comanche, Cottle, Dickens, Eastland, Erath, Foard, Hardeman, Haskell, Hood, Jack, Johnson, Jones, King, Knox, McCulloch, Mills, Montague, Palo Pinto, Parker, San Saba,

Shackelford, Somervell, Stephens, Stonewall, Tarrant, Taylor, Throckmorton, Wichita, Wilbarger, Wise, Young

Area 3

Collin, Cooke, Dallas, Denton, Fannin, Grayson

Area 4

Anderson, Angelina, Bowie, Camp, Cass, Chambers, Cherokee, Delta, Ellis, Franklin, Gregg, Hardin, Harrison, Henderson, Hopkins, Houston, Hunt, Jasper, Jefferson, Kaufman, Lamar, Liberty, Marion, Montgomery, Morris, Nacogdoches, Navarro, Newton, Orange, Panola, Polk, Rains, Red River, Rockwall, Rusk, Sabine, San Augustine, San Jacinto, Shelby, Smith, Titus, Trinity, Tyler, Upshur, Van Zandt, Walker, Wood

Area 5

Austin, Brazoria, Colorado, Fort Bend, Galveston, Harris, Matagorda, Waller, Wharton

Area 6

Bastrop, Bell, Bosque, Brazos, Burleson, Burnet, Caldwell, Coryell, Falls, Fayette, Freestone, Gonzales, Grimes, Guadalupe, Hamilton, Hill, Lampasas, Lee, Leon, Limestone, Madison, McLennan, Milam, Robertson, Travis, Washington, Williamson

Area 7

Atascosa, Bandera, Bexar, Blanco, Calhoun, Comal, De Witt, Dimmit, Edwards, Frio, Gillespie, Goliad, Hays, Jackson, Karnes, Kendall, Kerr, Kimble, Kinney, La Salle, Lavaca, Llano, Mason, Maverick, McMullen, Medina, Menard, Real, Refugio, Schleicher, Sutton, Uvalde, Val Verde, Victoria, Wilson, Zavala

Area 8

Andrews, Borden, Brewster, Coke, Concho, Crane, Crockett, Culberson, Dawson, Ector, El Paso, Fisher, Gaines, Garza, Glasscock, Howard, Hudspeth, Irion, Jeff Davis, Kent, Loving, Martin, Midland, Mitchell, Nolan, Pecos, Presidio, Reagan,

Reeves, Runnels, Scurry, Sterling, Terrell, Terry, Tom Green, Upton, Ward, Winkler, Yoakum

Area 9

Aransas, Bee, Brooks, Cameron, Duval, Hidalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, Live Oak, Nueces, San Patricio, Starr, Webb, Willacy, Zapata

Regulated Facilities

The following tables and charts represent snapshots of regulated long-term care facility counts on March 18, 2019.

Facility Counts by Program Type

Program	Count	% of all Facilities
Assisted Living	2,003	44.4%
DAHS	456	10.1%
ICF/IID	805	17.8%
Nursing	1,248	27.6%
PPECC	2	0.1%
Total	**4,514**	**NA**

Facilities in Texas by Program and Region

Region	Asst. Living Count	% of all Asst. Living	DAHS Count	% of all DAHS	ICF/IID Count	% of all ICF/IID	Nursing Count	% of all Nursing	PPECC Count	% of All PPECC	Total Count	% of Total
01	92	4.6%	6	1.3%	30	3.7%	72	5.8%	0	0.0%	200	**4.4%**
02	46	2.3%	1	0.2%	41	5.1%	75	6.0%	0	0.0%	163	**3.6%**
03	628	31.4%	37	8.1%	209	26.0%	286	22.9%	0	0.0%	1,160	**25.7%**
04	100	5.0%	7	1.5%	70	8.7%	105	8.4%	0	0.0%	282	**6.2%**
05	42	2.1%	7	1.5%	46	5.7%	75	6.0%	0	0.0%	170	**3.8%**
06	505	25.2%	55	12.1%	119	14.8%	175	14.0%	1	50.0%	855	**18.9%**
07	197	9.8%	5	1.1%	98	12.2%	149	11.9%	0	0.0%	449	**9.9%**
08	284	14.2%	52	11.4%	119	14.8%	172	13.8%	0	0.0%	627	**13.9%**
09	23	1.1%	1	0.2%	31	3.9%	43	3.4%	0	0.0%	98	**2.2%**
10	47	2.3%	32	7.0%	11	1.4%	20	1.6%	0	0.0%	110	**2.4%**
11	39	1.9%	253	55.5%	31	3.9%	76	6.1%	1	50.0%	400	**8.9%**
Total	**2,003**	**NA**	**456**	**NA**	**805**	**NA**	**1,248**	**NA**	**2**	**NA**	**4,514**	**NA**

Facility Visits/Contacts by HHSC Surveyors by Region

Region	Assisted Living	DAHS	ICF/IID	Nursing	PPECC	Unlicensed	Total
01	83	11	45	374	0	0	**513**
02	79	0	87	323	0	0	**489**
03	531	35	365	965	0	16	**1912**
04	200	10	104	669	0	0	**983**
05	77	7	103	342	0	0	**529**
06	808	68	183	1011	2	37	**2109**
07	356	9	176	676	0	0	**1217**
08	173	26	192	503	0	2	**896**
09	15	1	88	158	0	0	**262**
10	73	36	22	75	0	0	**206**
11	31	194	54	235	0	0	**514**
Total	**2,426**	**397**	**1,419**	**5,331**	**2**	**55**	**9,630**

Notes:

1. Facility Visit/Contacts represents those visits/contacts conducted in the first two fiscal year quarters of FY 2019.
2. Visits/contacts consist of all on-site, off-site, and combination inspections and investigations done by regulatory survey staff.
3. The unlicensed column includes visits to locations without a state license. During the visit, regulatory staff will determine if the location is providing services in violation of state licensing rules, providing services that have no licensure requirements, or not providing services.

Facility Visits/Contacts Compared to the Number of Facilities

Facility Type	Facility Count	% of All Facilities	Facility Visits/ Contacts	% of All Visits/ Contacts
Assisted Living	2,003	43.9%	2,426	25.2%
DAHS	456	10.0%	397	4.1%
ICF/IID	805	17.6%	1,419	14.7%
Nursing	1,248	27.3%	5,331	55.3%
PPECC	2	0.1%	2	0.1%
Unlicensed	49	1.1%	55	0.6%

Facility Type	Facility Count	% of All Facilities	Facility Visits/ Contacts	% of All Visits/ Contacts
Total	**4,563**	**NA**	**9,630**	**NA**

Notes:

1. Facility Visits/Contacts represents those visits/contacts conducted in the first two fiscal year quarters of FY 2019.
2. Visits/contacts consist of all on-site, off-site, and combination inspections and investigations done by regulatory survey staff.
3. The unlicensed row includes visits to locations without a state license. During the visit, regulatory staff will determine if the location is providing services in violation of state licensing rules, providing services that have no licensure requirements, or not providing services.

Changes in Regulated Facilities

All references to FY 2019 represents the data collected in the first two fiscal year quarters of FY 2019.

Facility Counts in FY 2015 and FY 2019

Program	FY 2015 Count	FY 2015 Percentage	FY 2019 Count	FY 2019 Percentage
Assisted Living	1,829	41.8%	2,003	44.4%
DAHS	481	11.0%	456	10.1%
ICF/IID	847	19.3%	805	17.8%
Nursing	1,223	27.9%	1,248	27.6%
PPECC	0	0%	2	0.1%
Total	**4,380**	**NA**	**4,514**	**NA**

Assisted Living Facility Trends

Fiscal Year	Number of Facilities	Facilities: Percent Growth/ Loss	Number of Licensed or Certified Beds	Licensed or Certified Beds: Percent Growth/Loss
2015	1,829	+3.3%	63,949	+5.9%
2016	1,864	+1.9%	67,647	+5.8%
2017	1,888	+1.3%	70,750	+4.4%
2018	1,964	+4.0%	73,988	+4.6%
2019	2,003	+2.0%	75,903	+2.6%
Percent Change FY 2015 to 2019	**NA**	**+9.5%**	**NA**	**+18.7%**

Day Activity and Health Services Facility Trends

Fiscal Year	Number of Facilities	Facilities: Percent Growth/ Loss	Number of Licensed or Certified Beds	Licensed or Certified Beds: Percent Growth/Loss
2015	481	+0.6%	44,385	+2.3%
2016	466	-3.1%	43,660	-1.6%
2017	465	-0.2%	44,269	+1.4%
2018	458	-1.5%	43,644	-1.4%
2019	456	-0.4%	43,343	-0.7%
Percent Change FY 2015 to 2019	**NA**	**-5.2%**	**NA**	**-2.3%**

Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Condition Trends

Fiscal Year	Number of Facilities	Facilities: Percent Growth/ Loss	Number of Licensed or Certified Beds	Licensed or Certified Beds: Percent Growth/Loss
2015	847	-1.9%	11,730	-1.1%
2016	828	-2.2%	11,505	-1.9%
2017	810	-2.2%	11,367	-1.2%
2018	805	-0.6%	11,333	-0.3%
2019	805	0.0%	11,422	+0.8%
Percent Change FY 2015 to 2019	**NA**	**-5.0%**	**NA**	**-2.6%**

Note:

The number of certified beds reflects the number of intermediate care facilities for individuals with an intellectual disability or related conditions beds authorized by the Centers for Medicare and Medicaid Services for participation in the Medicaid program.

State-Operated Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Condition Trends

Fiscal Year	Number of Facilities	Facilities: Percent Growth/ Loss	Number of Licensed or Certified Beds	Licensed or Certified Beds: Percent Growth/Loss
2015	15	0.0%	5,995	0.0%
2016	15	0.0%	5,995	0.0%
2017	15	0.0%	5,995	0.0%
2018	15	0.0%	5,995	0.0%
2019	15	0.0%	5,995	0.0%
Percent Change FY 2015 to 2019	**NA**	**0.0%**	**NA**	**0.0%**

Note:

The number of certified beds reflects the number of intermediate care facilities for individuals with an intellectual disability or related conditions beds authorized by the Centers for Medicare and Medicaid Services for participation in the Medicaid program.

Private and Community-operated Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Condition Trends

Fiscal Year	Number of Facilities	Facilities: Percent Growth/ Loss	Number of Licensed or Certified Beds	Licensed or Certified Beds: Percent Growth/Loss
2015	832	-1.9%	5,735	-2.2%
2016	813	-2.3%	5,510	-3.9%
2017	795	-2.3%	5,372	-2.6%
2018	790	-0.6%	5,338	-0.6%
2019	790	0.0%	5,427	+1.7%
Percent Change FY 2015 to 2019	**NA**	**-5.0%**	**NA**	**-5.4%**

Nursing Facility Trends

Fiscal Year	Number of Facilities	Facilities: Percent Growth/ Loss	Number of Licensed or Certified Beds	Licensed or Certified Beds: Percent Growth/Loss
2015	1,223	-0.1%	137,335	+0.4%
2016	1,228	+0.4%	137,975	+0.5%
2017	1,242	+1.1%	139,452	+1.1%
2018	1,250	+0.6%	140,509	+0.8%
2019	1,248	-0.2%	140,389	-0.1%
Percent Change FY 2015 to 2019	**NA**	**+2.0%**	**NA**	**+2.2%**

Note:

The number of licensed or certified beds includes all types - Medicare, Medicaid and private pay.

Occupancy Trends for Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Condition

Fiscal Year	Number of Occupants State Operated ICF/IID	Occupants: Percent Growth/ Loss	Occupancy Rates State Operated ICF/IID	Number of Occupants Private & Community Operated ICF/IID	Occupants: Percent Growth/ Loss	Occupancy Rates Private & Community Operated ICF/IID
2015	3,195	-5.2%	53.3%	5,206	-4.1%	90.8%
2016	3,112	-2.6%	51.9%	5,020	-3.6%	91.1%
2017	3,016	-3.2%	50.3%	4,921	-2.0%	91.6%
2018	2,979	-1.2%	49.7%	4,936	+0.3%	92.5%
2019	2,798	-6.1%	46.7%	4,666	-5.5%	86.0%
Percent Change FY 2015 to 2019	**NA**	**-12.4%**	**NA**	**NA**	**-10.4%**	**NA**

Notes:

1. Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Condition data obtained from the HHSC Client Assignment & Registration System (CARE)

from February 28, 2019.

Occupancy Trends for Nursing Facilities

Fiscal Year	Number of Occupants Nursing Facilities	Occupants: Percent Growth/ Loss	Occupancy Rates Nursing Facilities
2015	93,588	-1.1%	68.1%
2016	92,943	-0.7%	67.4%
2017	93,106	+0.2%	66.8%
2018	92,121	-1.1%	65.6%
2019	92,119	-0.0%	65.6%
Percent Change FY 2015 to 2019	**NA**	**-1.6%**	**NA**

Note:

1. Nursing facility data is summed from three sources: the February 2019 Medicaid Occupancy Report for facilities participating in Medicaid, the last recertification visit for Medicare-only facilities and the last licensure visit for licensed-only facilities.

Facility Visits/Contacts by Regulatory Surveyors for FY 2015-19

Facility Type	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Assisted Living	4,883	5,578	5,589	4,236	2,426
DAHS	871	1,069	844	661	397
ICF/IID	2,412	2,524	2,342	2,333	1,419
Nursing	12,228	12,395	12,944	11,496	5,331
PPECC	0	0	0	3	2
Unlicensed	241	296	255	170	55
Totals	**20,635**	**21,862**	**21,974**	**18,899**	**9,630**

Notes:

1. Facility Visit/Contacts represents those visits/contacts conducted in the first two fiscal year quarters of FY 2019.
2. Visits/contacts consist of all on-site, off-site and combination inspections and investigations done by regulatory survey staff.
3. The unlicensed row includes visits to locations without a state license. During the visit, regulatory staff will determine if the location is providing services in violation of state

licensing rules, providing services that have no licensure requirements, or not providing services.

Regulated Home and Community Support Services Agencies

The following tables and charts represent snapshots of regulated HCSSA counts on March 18, 2019.

Home and Community Support Services Agency Counts by Agency Type

Agency Type	Count	% of All Agencies
Home health and hospice parents	5,442	87.0%
Home health branches	611	9.8%
Alternate delivery sites	200	3.2%
Total	**6,253**	**NA**

Home and Community Support Services Agency Counts by HHSC Region

Region	Parent Count	% of Parent Total	Branch Count	% of Branch Total	Alternate Delivery Site Count	% of Alternate Delivery Site Total	Total Count	% of Total
01	97	1.8%	39	6.4%	10	5.0%	146	2.3%
02	80	1.5%	23	3.8%	6	3.0%	109	1.7%
03	1,639	30.1%	133	21.8%	65	32.5%	1,837	29.4%
04	173	3.2%	47	7.7%	26	13.0%	246	3.9%
05	123	2.3%	27	4.4%	7	3.5%	157	2.5%
06	1,607	29.5%	80	13.1%	25	12.5%	1,712	27.4%
07	327	6.0%	58	9.5%	21	10.5%	406	6.5%
08	442	8.1%	88	14.4%	17	8.5%	547	8.7%
09	65	1.2%	12	2.0%	6	3.0%	83	1.3%
10	170	3.1%	13	2.1%	2	1.0%	185	3.0%
11	719	13.2%	91	14.9%	15	7.5%	825	13.2%
Totals	**5,442**	**NA**	**611**	**NA**	**200**	**NA**	**6,253**	**NA**

Home and Community Support Services Agency Visits/Contacts by Regulatory Surveyors by Region

Region	HCSSA
01	45
02	29
03	381
04	67
05	34
06	513
07	108
08	147
09	34
10	68
11	226
Total	**1,652**

Note:

1. Agency Visits/Contacts represents those visits/contacts conducted in the first two fiscal year quarters of FY 2019.
2. Visits/contacts consist of all on-site, off-site, and combination inspections and investigations done by regulatory survey staff.

Home and Community Support Services Agency Counts by Category of Service

Category of Service	Parent	Branch	Alternate Delivery Site
Licensed and certified home health	2,188	245	NA
Licensed and certified home health w/ dialysis	1	0	NA
Licensed home health services	2,879	444	NA
Licensed home health w/ dialysis	37	1	NA
Personal assistance services	3,735	360	NA
Hospice	853	0	191

Note:

Home and community support services agencies can provide more than one category of service from the same parent or branch.

Home and Community Support Services Agency Counts by Category of Service by HHSC Region

Category of Service	01	02	03	04	05	06	07	08	09	10	11	Total
*Parent: licensed and certified home health	46	48	735	86	64	604	103	134	32	64	272	**2,188**
Parent: licensed home health	49	41	907	104	73	890	148	199	31	70	367	**2,879**
Parent: licensed home health with dialysis	0	0	7	2	0	25	1	0	1	0	1	**37**
Parent: personal assistance	42	31	1,169	79	58	1,216	192	240	32	122	554	**3,735**
Parent: hospice	26	13	247	36	27	207	62	112	14	22	87	**853**
Parent: licensed and certified home health with dialysis	0	0	0	0	0	0	0	0	0	0	1	**1**
Branch: licensed and certified home health	24	12	56	38	18	25	22	20	9	0	21	**245**
Branch: licensed home health	28	18	112	37	16	53	38	61	7	10	64	**444**
Branch: licensed home health with dialysis	0	0	0	0	0	1	0	0	0	0	0	**1**
Branch: personal assistance	23	12	73	22	12	43	29	52	4	12	78	**360**
Alternative delivery site: hospice	10	6	62	25	7	24	20	17	4	2	14	**191**

Note:

*Home and community support services agencies can provide more than one category of service from the same parent agency or branch.

Changes in Regulated Home and Community Support Services Agencies

All references to FY 2019 represents the data collected in the first two fiscal year quarters of FY 2019.

Home and Community Support Services Agency Counts for FY 2015 and FY 2019

Agency Type	FY 2015 Count	FY 2019 Count
Home health and hospice parents	5,426	5,442
Home health branches	730	611
Alternate delivery sites	187	200
Total	**6,343**	**6,253**

Home and Community Support Services Agency Trends

Fiscal Year	Number of Parents	Parents: Percent Growth/ Loss	Number of Branches	Branches: Percent Growth/ Loss	Number of Alternate Delivery Sites	Alternate Delivery Sites: Percent Growth/Loss	Total Number of Agencies	All: Percent Growth/ Loss
2015	5,426	+0.2%	730	-5.1%	187	+10.0%	6,343	-0.1%
2016	5,402	-0.4%	701	-4.0%	189	+1.1%	6,292	-0.8%
2017	5,396	-0.1%	657	-6.7%	209	9.6%	6,262	-0.5%
2018	5,339	-1.1%	613	-6.7%	203	-2.9%	6,155	-1.7%
2019	5,442	+1.9%	611	-0.3%	200	-1.5%	6,253	+1.6%
Percent Change FY 2015 to 2019	**NA**	**+0.3%**	**NA**	**-16.3%**	**NA**	**+7.0%**	**NA**	**-1.4%**

Home and Community Support Services Agency Visits/Contacts by Regulatory Surveyors for FY 2015-19

Agency Type	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
HCSSA	3,470	2,885	3,851	4,500	1,652

Notes:

1. Agency Visits/Contacts represents those visits/contacts conducted in the first two fiscal year quarters of FY 2019.
2. Visits/contacts consist of all on-site, off-site and combination inspections and investigations done by regulatory survey staff.

Regulated Waiver Programs

The following tables and charts represent snapshots of regulated waiver program counts on March 18, 2019.

Waiver Program and Consumer Counts

Program Type	Count of Waiver Contracts	% of all Contracts	Consumers	% of All Consumers
Home and Community-based Services	852	70.1%	26,604	84.7%
Texas Home Living	363	29.9%	4,807	15.3%
Total	**1,215**	**NA**	**31,411**	**NA**

Contracts in Texas by Waiver Program and Contract Area

Waiver Contract Area	HCS Contracts	% of All HCS Contracts	TxHmL Contracts	% of All TxHmL Contracts	Total Contracts	% of All Contracts
1	15	1.8%	7	1.9%	22	**1.8%**
2	110	12.9%	58	16.0%	168	**13.8%**
3	146	17.1%	71	19.6%	217	**17.9%**
4	117	13.7%	41	11.3%	158	**13.0%**
5	249	29.2%	93	25.6%	342	**28.1%**
6	71	8.3%	26	7.2%	97	**8.0%**
7	74	8.7%	27	7.4%	101	**8.3%**
8	23	2.7%	13	3.6%	36	**3.0%**
9	47	5.5%	27	7.4%	74	**6.1%**
Total	**852**	**NA**	**363**	**NA**	**1,215**	**NA**

Reviews of Waiver Programs by State Reviewers by Contract Area

Waiver Contract Area	Home and Community-based Services	Texas Home Living	Total
1	11	2	**13**
2	43	17	**60**
3	75	21	**96**
4	60	18	**78**
5	123	43	**166**
6	42	11	**53**
7	32	6	**38**
8	12	2	**14**
9	13	12	**25**
Total	**411**	**132**	**543**

Note:

Reviews consist of all certification, intermittent and follow-up reviews, or visits by regulatory waiver survey and certification staff conducted in the first two fiscal year quarters of FY 2019.

Reviews of Waiver Programs Compared to the Number of Waiver Programs

Program Type	Contract Count	% of All Contracts	% of All Reviews
Home and Community-based Services	852	70.1%	75.7%
Texas Home Living	363	29.9%	24.3%
Total	**1,215**	**NA**	**NA**

Note:

Reviews consist of all certification, intermittent and follow-up reviews, or visits by regulatory waiver survey and certification staff conducted in the first two fiscal year quarters of FY 2019.

Home and Community-based Services Residential Category Consumer Counts

Residential Category	Consumers	% of Consumers
Own home or family home	8,536	27.5%
Foster care	13,816	44.6%
Three-person group home	4,153	13.4%
Four-person group home	4,498	14.5%
Total	**31,003**	**NA**

Home and Community-based Services Residential Reviews

Residential Category	Reviews Completed	% of All Reviews
Own home or family home	NA	NA
Foster care	4,470	84.4%
Three-person group home	474	8.9%
Four-person group home	356	6.7%
Total	**5,300**	**NA**

Changes in Waiver Programs

All references to FY 2019 represents the data collected in the first two fiscal year quarters of FY 2019.

Waiver Program Contract and Consumer Counts for FY 2015 and FY 2019

Program Type	FY 2015 Contracts	FY 2015 Consumers	FY 2019 Contracts	FY 2019 Consumers
Home and Community-based Services	791	24,608	852	26,604
Texas Home Living	423	4,902	363	4,807
Total	**1,214**	**31,966**	**1,215**	**31,411**

Waiver Program Contract and Consumers by Percentage for FY 2015 and FY 2019

Program Type	FY 2015 % of All Contracts	FY 2015 % of All Consumers	FY 2019 % of All Contracts	FY 2019 % of All Consumers
Home and Community-based Services	65.2%	77.0%	70.1%	84.7%
Texas Home Living	34.8%	23.0%	29.9%	15.3%

Home and Community-based Services Trends

Fiscal Year	Number of HCS Contracts	HCS: % Growth/Loss	HCS Consumers	HCS Consumers: % Growth/ Loss
2015	791	+3.1%	24,608	+15.3%
2016	811	+2.5%	26,081	+6.0%
2017	823	+1.5%	27,896	+6.5%
2018	842	+2.3%	26,206	-6.1%
2019	852	+1.2%	26,604	+1.5%
Percent Change FY 2015 to 2019	**NA**	**+7.7%**	**NA**	**+8.1%**

Note:

Home and Community-based Services contract counts include only contracts through which at least one consumer is provided services.

Texas Home Living Trends

Fiscal Year	Number of TxHmL Contracts	TxHmL Contracts: % Growth/ Loss	TxHmL Consumers	TxHmL Consumers: % Growth/ Loss
2015	423	+13.1%	7,358	+23.6%
2016	403	-4.7%	6,989	-5.0%
2017	393	-2.5%	5,385	-29.8%
2018	367	-6.6%	4,902	-9.0%
2019	363	-1.1%	4,807	-1.9%
Percent Change FY 2015 to 2019	**NA**	**-14.2%**	**NA**	**-34.7%**

Reviews of Waiver Programs by Regulatory Reviewers for FY 2015-19

Facility Type	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019
Home and Community-based Services	960	1,202	994	951	411
Texas Home Living	396	477	413	336	132
Totals	**1,356**	**1,679**	**1,407**	**1,287**	**543**

Note:

Reviews consist of all certification, intermittent and follow-up reviews, or visits by regulatory waiver survey and certification staff conducted in the first two fiscal year quarters of FY 2019.

Comparisons to Other States

In Centers for Medicare and Medicaid Services Region VI (which includes Arkansas, Louisiana, New Mexico, Oklahoma, and Texas) for FY 2019, Texas accounts for:

- 64 percent of all active certified facilities and agencies
- 51 percent of all nursing facility federal enforcement cases
- 55 percent of all immediate jeopardy situations
- 33 percent of all past noncompliance cases

Nationwide, Texas accounts for:

- 18 percent of all certified home and community support services agencies
- 13 percent of all intermediate care facilities for individuals with an intellectual disability or related condition
- 8 percent of all certified nursing facilities
- 11 percent of all state survey agency hours spent on investigations at nursing facilities
- 5 percent of all nursing facility federal enforcement cases
- 7 percent of all immediate jeopardy situations
- 3 percent of all past noncompliance cases

Overview of Enforcement Activities

Administrative Penalties

During FY 2019, HHSC imposed 575 administrative penalties against facilities and agencies, including:

- 559 against home and community support services agencies
- 8 against assisted living facilities
- 5 against nursing facilities
- 3 against intermediate care facilities for individuals with an intellectual disability or related conditions

Facility Referrals to the Office of the Attorney General

During FY 2019, HHSC referred the following facilities for injunctive/other relief and civil penalties:

- 10 unlicensed facilities

Facility Amelioration Requests

In certain situations, the HHSC executive commissioner can allow, in lieu of demanding payment of an administrative penalty, the use (under agency's supervision) of any portion of the penalty to ameliorate the violation. The amelioration plan must improve services (other than administrative services) or quality of care of residents in the NFs, ICFs/IID, or ALFs affected by the violation.

Approved amelioration amounts:

- $1,350 for replacing dishes with blue color dishes to improve food recognition among cognitively impaired individuals and purchasing adaptive equipment to aid with eating and maintaining independence.

During FY 2019, HHSC denied 3 initial and renewal applications for licensure for facilities and agencies, including:

- 3 HCSSAs

License Revocations

During FY 2019, HHSC revoked 2 facility and agency licenses, including:

- 2 HCSSAs

Home and Community Support Services Agency Expiration of Licenses (in Lieu of Enforcement Actions)

Instead of pursuing additional enforcement actions, LTCR can allow a HCSSA to let its license expire. During FY 2019, no HCSSAs were allowed to expire its license in lieu of further enforcement actions.

Home and Community Support Services Agency Surrender of Licenses (in Lieu of Enforcement Actions)

At LTCR's discretion, a HCSSA can surrender its license instead of receiving additional enforcement actions. In FY 2019, no HCSSAs surrendered their license in lieu of further enforcement actions.

Vendor Holds

During FY 2019, HHSC placed zero waiver contracts on vendor hold.

Denial of Certification

During FY 2019, HHSC denied 1 certification to waiver contract.

Unlicensed Facilities

LTCR addresses violators of state licensing laws who operate facilities without a required license. The agency responds to complaints from the public and other entities alleging facilities are operating without a license and, if LTCR finds a facility is in violation of licensure laws, it can refer a facility to the OAG for relocation of residents, injunctive relief, and/or civil penalties.

During FY 2019, HHSC referred 10 unlicensed facilities for injunctive/other relief and civil penalties to the OAG.

Trust Fund Monitoring

LTCR routinely monitors resident funds in Medicaid contracted NFs and ICFs/IID for compliance with state and federal guidelines. LTCR also performs change of ownership/closure audits on outgoing ownership, and investigate financial complaints referred by CII staff.

In FY 2019, quarters 1 and 2, LTCR completed:

- 358 financial investigations resulting in $1,587,327.14 in NF and ICF/IID resident refunds
- 387 routine monitoring visits resulting in $636,390.27 in NF and ICF/IID resident refunds
- 55 change of ownership/closure audits resulting in $325,956.39 in NF and ICF/IID resident refunds

Nursing Facility Civil Money Penalties

The federal Centers for Medicare and Medicaid Services (CMS) or LTCR can impose a civil money penalty (CMP) for the number of days that a SNF or NF is not in substantial compliance with one or more of the conditions to participate in Medicare or Medicaid, or for each instance that a facility is not in substantial compliance — regardless of whether the deficiencies constitute immediate jeopardy. CMS or the state also can impose a CMP for the number of days of previous noncompliance since the last standard survey, including the number of days of immediate jeopardy.

In FY 2019, CMS imposed 112 CMPs against facilities participating in the Medicare program; HHSC imposed no CMPs against facilities that contracted for Medicaid only.

Regulatory Penalty Receipts for FY 2014–19

Fiscal Year	Administrative Penalties Amount Received (All Facility Types)	Civil Money Penalties Amount Received (Nursing Facilities)
2014	$685,391.00	$3,673,288.69
2015	$489,417.01	$4,252,411.81
2016	$928,287.99	$5,153,955.58
2017	$762,338.09	$8,433,374.78
2018	$793,348.00	$8,218,224.00
2019	$359,032.00	$4,024,026.00

Top 10 Rankings

Certification Deficiencies and Licensure Violations

Top 10 Violations Cited During Inspections for FY 2019: Assisted Living Facilities

1. **Sprinkler Systems: 26 TAC §553.62(f)(2)** - The facility failed to ensure the required sprinkler system was inspected, tested, and maintained in compliance with National Fire Protection Association 25. (Tied for No. 1 in FY 2018)

2. **Operations: Fire Drills: 26 TAC §553.62(c)(2)** - The facility failed to ensure fire drills were conducted and documented to be in compliance with licensing standards for assisted living facilities. (Tied for No. 4 in FY 2018)

3. **General Safety: Building in Good Repair: 26 TAC §553.62(i)(2)** - The facility failed to ensure that the building was kept in good repair. (Ranked No. 2 in FY 2018)

4. **Fire Alarm - Sprinkler Systems: Fire Alarm and Sprinkler Systems: 26 TAC §553.62(f)(1)** - The facility failed to ensure that the fire alarm and smoke detection system was in compliance with licensing standards for assisted living facilities. (Ranked No. 6 in FY 2018)

5. **[TIE] Safety Operations: 26 TAC §553.62(d)** - The facility failed to ensure a written emergency plan that addresses the eight core functions of emergency management was provided. (Not ranked in FY 2018)

5. **[TIE] Resident Assessment: Service Plan: 26 TAC §553.41(c)(2)** - The facility failed to ensure that the service plan was approved and signed by the resident or a person responsible for the resident's health care decisions, or that it was updated annually and upon a significant change in condition, based upon an assessment of the resident, or that care was provided to the resident based on that assessment. (Ranked No. 3 in FY 2018)

7. **Fire Alarm - Sprinkler Systems: Smoke Detector Sensitivity Checks: 26 TAC §553.62(f)(1)(F)** - The facility failed to ensure the smoke detectors were to be tested for sensitivity as required. The facility failed to provide all required fire alarm documentation, including as-built installation drawings, operation and maintenance manuals, and a written sequence of operation, must be available for examination by HHSC. (Not ranked in FY 2018)

8. **General Safety: Gas Line Pressure Test: 26 TAC §553.62(i)(8)** – The facility failed to provide an initial gas pressure test of the gas lines from the meter; and/or failed to ensure additional gas pressure tests were performed when gas service was interrupted; and/or that all gas heating systems were documented. (Not ranked in FY 2018)

9. **Requirements: Other Chapters, Sections, etc. of NFPA 101: 26 TAC §553.61(b)(4)(E)** - The facility failed to ensure the building and structure complied with other applicable chapters of the Life Safety Code, NFPA 101. (Ranked No. 9 in FY 2018)

10. **Requirements: Existing Type B Large Compliance with Chapter 19: 26 TAC §553.61(b)(4)(D)** - The facility failed to comply with Chapter 19 of NFPA 101. (Not ranked in FY 2018)

Top 10 Violations Cited During Inspections for FY 2019: Day Activity and Health Services Facilities

1. **Sanitation/Kitchen-Food Service Sanitation: 40 TAC §98.43(b)(1)** - The facility failed to observe state requirements and local health ordinances relating to Texas food establishments. (Ranked No. 1 in FY 2018)

2. **Communicable Diseases/Staff Health: 40 TAC §98.62(c)** - The facility failed to ensure that its employees were free of communicable diseases, through tuberculosis screening or through excluding them from work while communicable. (Ranked No. 3 in FY 2018)

3. **Sanitation/General-Odors/Refuse/Hazards: 40 TAC §98.43(a)(7)** - The facility failed to keep the building clean and well maintained. (Ranked No. 2 in FY 2018)

4. **Personal Safety/Fire-Smoking Regulations: 40 TAC §98.42(c)(1)(G)(iii)** - The facility failed to provide the proper ashtrays in areas where smoking is permitted. (Ranked No. 7 in FY 2018)

5. **[TIE] Staff Qualifications/Director: 40 TAC §98.62(a)(1)(A)(B)** - The facility failed to ensure its director met the mandatory qualifications for a director. (Ranked No. 9 in FY 2018)

5. **[TIE] Personal Safety/Fire-Smoking Regulations: 40 TAC §98.42(c)(1)(G)(iv)** - The facility failed to provide the proper containers to allow for the emptying of ashtrays in smoking areas. (Ranked No. 4 in FY 2018)

5. **[TIE] Emergency Preparedness & Response/Administration: 40 TAC §98.64(b)(3)** - The facility failed to evaluate and change the emergency preparedness and response plan as needed within 30 days after an emergency situation, remodeling or adding on to the facility, or at least annually. (Tied for No. 10 in FY 2018)

8. **Staff Responsibilities/Nurse: 40 TAC §98.62(d)(2)(A-H)** - The facility failed to ensure the facility nurse fulfilled the responsibilities of the position. (Not ranked in FY 2018)

9. **[TIE] Personal Safety/Fire Extinguishers-Monthly Inspection: 40 TAC §98.42(c)(1)(M)(i)** - The facility staff did not inspect the portable fire extinguishers on a monthly basis or maintain them in proper condition and working order. (Tied for No. 5 in FY 2018)

9. **[TIE] Sanitation/General-Rest Room Facilities: 40 TAC §98.43(a)(8)** - The facility failed to provide adequate restrooms for men and women. (Ranked No. 8 in FY 2018)

9. **[TIE] Life Safety Code/Interpretations-Fire Alarm Inspection: 40 TAC §98.42(b)(D)** - The facility failed to have a program to inspect, test, and maintain the fire alarm system at least once every six months. (Not ranked in FY 2018)

Top 10 Deficiencies Cited During Inspections for FY 2019: Home Health Agencies

1. **Plan of Care Must Include the Following: 42 CFR 484.60(a)(2)(i-xvi), TAG 0574** – The agency failed to include any of the following in the plan of care: all pertinent diagnoses; patient's mental, psychosocial and cognitive status; types of services/equipment needed; frequency and duration of visits; prognosis, functional limitations; activities permitted; nutritional requirements; all medications/treatments; safety measures against injury; patient's risk for emergency department visits and hospital re-admission including interventions; training to patient and caregiver for timely discharge; patient-specific interventions, education and goals; information on advance directives; and additional items from the agency or physician. (Ranked No. 1 in FY 2018)

2. **Responsible for All Day to Day Operations: 42 CFR 484.105 (b)(1)(ii), TAG 0948** - The agency's administrator failed to manage the day-to-day operations. (Ranked No. 7 in FY 2018)

3. **Plan of Care: 42 CFR 484.60(a)(1), TAG 0572** – The agency failed to identify changes in health or functional status in the individualized plan of care, or review every 60 days or more frequently when indicated and signed by the physician. (Ranked No. 6 in FY 2018)

4. **Provide Services in the Plan of Care: 42 CFR 484.75(B)(3), TAG 0710** - The agency failed to provide services that are ordered by the physician as indicated by the plan of care. (Ranked No. 9 in FY 2018)

5. **A Review of All Current Medications: 42 CFR 484.55(c)(5), TAG 0536** - The agency failed to review all medications the patient is currently using in order to identify any potential adverse effects and drug reactions, including ineffective drug therapy, significant side effects, significant drug interactions, duplicate drug therapy, and noncompliance with drug therapy. (Not ranked in FY 2018)

6. **Written Notice for Non-Covered Care: 42 CFR 484.50(c)(8), TAG 0442** - The agency failed to receive proper written notice, in advance of a specific service being furnished, if the Home Health Agency believes that the service may be non-covered care; or in advance of the HHA reducing or terminating on-going care. The HHA must also comply with the requirements of 42 CFR 405.1200 through 405.1204. (Not ranked in FY 2018)

7. **Communication with Physicians: 42 CFR 484.75(b)(7), TAG 0718** - The agency failed communication with all physicians involved in the plan of care and other health care practitioners (as appropriate) related to the current plan of care. (Not ranked in FY 2018)

8. **Acceptance of Patients, Plan of Care, Medical Supervision: 42 CFR 484.18, TAG 0158** - The agency failed to ensure the care follows a written plan of care established and periodically reviewed by a doctor of medicine, osteopathy, or podiatric medicine. (Ranked No. 2 in FY 2018)

9. **Visit Schedule: 42 CFR 484.60(e)(1), TAG 0614** - The agency failed with the visit schedule, including frequency of visits by HHA personnel and personnel acting on behalf of the HHA. (Not ranked in FY 2018)

10. **Conformance with Physician Orders: 42 CFR 484.60(b), TAG 0578** - The agency failed standard conformance with physician orders. (Not ranked in FY 2018)

Top 10 Violations Cited During Inspections for FY 2019: Home Health Agencies

1. **Management Responsibility Administrator - Level B: 26 TAC §558.243(b)(1)(D)** - The administrator failed to supervise to ensure implementation of agency policy and procedures. (Ranked No. 4 in FY 2018)

2. **Self-Reported Incidents of Abuse, Neglect and Exploitation - Level B: 26 TAC §558.249(c)** - The agency failed to immediately report within 24 hours, knowledge of an alleged act of abuse, neglect or exploitation of a client by an agency employee, contractor or volunteer, to the Texas Department of Family and Protective Services and to HHSC. (Ranked No. 1 in FY 2018)

3. **Quality Assessment/Performance Improvement - Level B: 26 TAC §558.287(a)(1)** - The agency failed to have, implement, and review a quality assessment and performance improvement program consistent with state requirements. (Ranked No. 2 in FY 2018)

4. **Management Responsibility: Supervising Nurse - Level B: 26 TAC §558.243(c)(2)(A)(iii)** - The supervising nurse or the alternate supervising nurse did not make sure that care was provided according to a client's needs as written in the plan of care or care plan. (Ranked No. 3 in FY 2018)

5. **Management Responsibility: Administrator - Level B: 26 TAC §558.243(b)(1)(A)** - The administrator failed to manage the daily operations of the agency. (Ranked No. 7 in FY 2018)

6. **Verify Employability/Use Unlicensed Personnel – Level B: 26 TAC §558.247(a)(5)(B)** - The agency failed, after the initial verification of employability, to search the nurse aide and employee misconduct registries at least every 12 months for an unlicensed employee with face-to-face client contact who was most recently hired on or after September 1, 2009. (Not ranked in FY 2018)

7. **Verify Employability/Use Unlicensed Personnel - Level B: 26 TAC §558.247(a)(3)** - The agency employed an unlicensed person with face-to-face client contact before it searched the nurse aide and employee misconduct registries or employed an unlicensed person who was listed in either registry as unemployable. (Ranked No. 6 in FY 2018)

8. **Continuing Education in Agency Administrator - Level B: 26 TAC §558.260(a)** - The agency's administrator or alternate administrator failed to complete 12

hours of continuing education in the required topics within each 12 months in that job as required for the position of the administrator or alternate administrator of an agency. (Not ranked in FY 2018)

9. **Management Responsibility: Administrator - Level B: 26 TAC §558.243(b)(1)(B)** - The administrator failed to carry out, organize, and supervise ongoing work under the agency's administrative policies. (Ranked No. 5 in FY 2018)

10. **Agency Investigations - Level B: 26 TAC §558.250(b)(3)** - The agency failed to send its investigation report form no later than 10 days after reporting abuse, neglect, or exploitation of a client by an agency employee, contractor, or volunteer to the Department of Family and Protective Services and HHSC. (Ranked No. 9 in FY 2018)

Top 10 Deficiencies Cited During Inspections for FY 2019: Hospice Agencies

1. **Plan of Care: 42 CFR 418.56(b), TAG 0543** - The hospice failed to ensure all hospice care and services furnished to patients and their families must follow an individualized written plan of care established by the hospice interdisciplinary group in collaboration with the attending physician (if any), the patient or representative, and the primary caregiver in accordance with the patient's needs if any of them so desire. (Ranked No. 1 in FY 2018)

2. **Supervision of Hospice Aides: 42 CFR 418.76(h)(1)(i), TAG 0629** - The hospice failed to ensure that the registered nurse make an on-site visit to the patient's home no less frequently than every 14 days to assess the quality of care and services provided by the hospice aide and to ensure that services ordered by the hospice interdisciplinary group meet the patient's needs. The hospice aide does not have to be present during this visit. (Ranked No. 2 in FY 2018)

3. **Clinical Records: 42 CFR 418.104, TAG 0671** - The hospice failed to ensure a clinical record containing past and current findings is maintained for each hospice patient. The clinical record must contain correct clinical information that is available to the patient's attending physician and hospice staff. The clinical record may be maintained electronically. (Ranked No. 3 in FY 2018)

4. **Update of Comprehensive Assessment, 42 CFR 418.54(d), TAG 0533** - The hospice failed to ensure that the update of the comprehensive assessment

must be accomplished by the hospice interdisciplinary group (in collaboration with the individual's attending physician, if any) and must consider changes that have taken place since the initial assessment. It must include information on the patient's progress toward desired outcomes, as well as a reassessment of the patient's response to care. The assessment update must be accomplished as frequently as the condition of the patient requires, but no less frequently than every 15 days. (Not ranked in FY 2018)

5. **Nursing Services: 42 CFR 418.64(b)(1), TAG 0591** - The hospice failed to provide nursing care and services by or under the supervision of a registered nurse. Nursing services must ensure that the nursing needs of the patient are met as identified in the patient's initial assessment, comprehensive assessment, and updated assessments. (Not ranked in FY 2018)

6. **[TIE] Content of Comprehensive Assessment: 42 CFR 418.54(c)(7), TAG 0531** - The hospice failed to provide an initial bereavement assessment of the needs of the patient's family and other individuals focusing on the social, spiritual, and cultural factors that may impact their ability to cope with the patient's death. Information gathered from the initial bereavement assessment must be incorporated into the plan of care and considered in the bereavement plan of care. (Not ranked in FY 2018)

6. **[TIE] Authentication: 42 CFR 418.104(b), TAG 0679** - The hospice failed to ensure all entries must be legible, clear, complete, and appropriately authenticated and dated in accordance with hospice policy and currently accepted standards of practice. (Not ranked in FY 2018)

6. **[TIE] Content of Plan of Care: 42 CFR 418.56(c)(4), TAG 0549** – The hospice failed to provide the patient with effective pain management by providing drugs and treatment necessary to meet the patient's needs. (Ranked No. 6 in FY 2018)

9. **[TIE] Review of the Plan of Care: 42 CFR 418.56(d), TAG 0552** - The hospice interdisciplinary group failed to (in collaboration with the individual's attending physician, if any) review, revise and document the individualized plan as frequently as the patient's condition requires, but no less frequently than every 15 calendar days. (Not ranked in FY 2018)

9. **[TIE] Rights of the Patient: 42 CFR 418.52(c), TAG 0512** - The patient has the right: to receive effective pain management and symptom control from the hospice for conditions related to the terminal illness. (Not ranked in FY 2018)

Top 10 Violations Cited During Inspections for FY 2019: Hospice Agencies

1. **Hospice Plan of Care - Level B: 26 TAC §558.821(c)** - The agency failed to provide care and services according to the Interdisciplinary Team's written plan of care. (Ranked No. 2 in FY 2018)

2. **Self-Reported Incidents of Abuse, Neglect and Exploitation - Level B: 26 TAC §558.249(c)** - The agency failed to immediately report within 24 hours, knowledge of an alleged act of abuse, neglect or exploitation of a client by an agency employee, contractor or volunteer, to the Texas Department of Family and Protective Services and to HHSC. (Ranked No. 1 in FY 2018)

3. **Management Responsibility: Administrator - Level B: 26 TAC §558.243(b)(1)(D)** - The administrator failed to supervise to ensure implementation of agency policy and procedures. (Ranked No. 5 in FY 2018)

4. **[TIE] Management Responsibility: Administrator - Level B: 26 TAC §558.243(b)(1)(A)** - The administrator failed to manage the daily operations of the agency. (Ranked No. 3 in FY 2018)

4. **[TIE] Review of Hospice Plan of Care - Level B: 26 TAC §558.822(a)** - The agency's IDT failed to revise and document the plan of care within the allotted timeframe. (Not ranked in FY 2018)

6. **[TIE] Client Records - Level A: 26 TAC §558.301(a)(9)(D)** - The agency failed to have clinical and progress notes in each client record as applicable and/or to make sure staff wrote these notes on the day of service and that the agency placed these notes into the client records within 14 working days. (Not ranked in FY 2018)

6. **[TIE] Agency Investigations - Level B: 26 TAC §558.250(b)(3)** - The agency failed to send its investigation report form no later than 10 days after reporting abuse, neglect, or exploitation of a client by an agency employee, contractor, or volunteer to the Department of Family and Protective Services and HHSC. (Ranked No. 6 in FY 2018)

8. **[TIE] Hospice Aide Services - Level B: 26 TAC §558.842(d)(1)** - The agency failed to make an on-site visit to a client's home to supervise the hospice aide services at least every 14 days to assess the quality of care and services provided by the hospice aide and to ensure that services ordered by the hospice IDT meet the client's needs. (Not ranked in FY 2018)

8. **[TIE] Coordination of Services by the Hospice - Level B: 26 TAC §558.823(1)** - The agency failed to develop and maintain a communication system in its written policies to designate coordinating, and supervising the care and services provided to a client. (Not ranked in FY 2018)

8. **[TIE] Verify Employability/Use Unlicensed Personnel - Level B: 26 TAC §558.247(a)(5)(B)** - The agency failed, after the initial verification of employability, to search the nurse aide and employee misconduct registries at least every 12 months for an unlicensed employee with face-to-face client contact who was most recently hired on or after September 1, 2009. (Not ranked in FY 2018)

Top 10 Deficiencies Cited During Inspections for FY 2019: Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions - Health

1. **Qualified Intellectual Disability Professional: 42 CFR 483.430(a), TAG 0159** - The Qualified Intellectual Disability Professional failed to coordinate and monitor individuals' program plans. (Ranked No. 2 in FY 2018)

2. **Governing Body: 42 CFR 483.410(a)(1), TAG 0104** - The governing body failed to provide operating direction over the facility's policies, procedures, and budget. (Ranked No. 1 in FY 2018)

3. **Nursing Services: 42 CFR 483.460(c), TAG 0331** - The facility failed to provide nursing services in accordance with individuals' needs. (Ranked No. 10 in FY 2018)

4. **Program Implementation: 42 CFR 483.440(d)(1), TAG 0249** - The facility failed to implement continuous active treatment programs immediately after individuals' program plans were developed. (Ranked No. 6 in FY 2018)

5. **Space and Equipment: 42 CFR 483.470(g)(2), TAG 0436** - The facility must furnish, maintain in good repair, and teach clients to use and to make informed choices about the use of dentures, eyeglasses, hearing and other communications aids, braces, and other devices identified by the interdisciplinary team as needed by the client. (Not ranked in FY 2018)

6. **Evacuation Drills: 42 CFR 483.470(i)(1), TAG 0440** - The facility failed to hold fire drills under varied conditions, at least quarterly for each shift of personnel. (Ranked No. 3 in FY 2018)

7. **Drug Administration: 42 CFR 483.460(k)(2), TAG 0369** - The facility failed to ensure there were no medication errors. (Ranked No. 8 in FY 2018)

8. **Physician Services: 42 CFR 483.460(a)(3), TAG 0322** - The facility failed to provide preventive and general health care services. (Ranked No. 5 in FY 2018)

9. **Program Monitoring and Change: 42 CFR 483.440(f)(3)(i), TAG 0262** - The specially constituted committee failed to review, approve, and monitor individual program plans that include restrictive practices involving risks to client protections and rights. (Ranked No. 9 in FY 2018)

10. **Program Monitoring and Change: 42 CFR 483.440(f)(3)(ii), TAG 0263** - The specially constituted committee failed to obtain individuals' or guardians' written informed consent for individual program plans that include restrictive practices. (Ranked No. 4 in FY 2018)

Top 10 Deficiencies Cited During Inspections for FY 2019: Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions - Life Safety Code

1. **Sprinkler System - Maintenance and Testing: National Fire Protection Association (NFPA) 101, TAG S353** - The facility failed to comply with requirements for testing, maintaining, and inspecting a sprinkler system. (Ranked No. 3 in FY 2018)

2. **Fire Alarm System - Testing and Maintenance: NFPA 101, TAG S345** - The facility failed to comply with requirements related to the testing and maintenance of a fire alarm system or for retaining records related to the fire alarm system. (Ranked No. 4 in FY 2018)

3. **Utilities - Gas and Electric: NFPA 101, TAG S511** - The facility failed to comply with requirements for gas equipment, gas piping, or electrical wiring. (Ranked No. 2 in FY 2018)

4. **Corridor - Doors: National Fire Protection Association 101, TAG S363** - The facility failed to comply with requirements related to corridor doors. (Ranked No. 1 in FY 2018)

5. **Egress - Doors: NFPA 101, TAG S222** - The facility failed to comply with requirements for egress doors including latches or locks (Ranked No. 10 in FY 2018)

6. **Smoking Regulations: NFPA 101, TAG S741** - The facility failed to comply with requirements for smoking regulations, including adopting a plan to address where smoking is permitted, or failed to provide noncombustible safety type ashtrays or receptacles in convenient locations. (Ranked No. 7 in FY 2018)

7. **[TIE] Evacuation and Relocation Plan: NFPA 101, TAG S711** - The facility failed to comply with emergency evacuation and relocation plan requirements, including maintaining a written emergency plan, training staff and residents on the plan, or ensuring appropriate parties have access to the plan. (Ranked No. 6 in FY 2018)

7. **[TIE] Means of Egress - General: NFPA 101, TAG S211** - The facility failed to comply with the requirements for a designated means of escape, which will be continuously maintained clear of obstructions and impediments to full instant use in the case of fire or emergency. (Ranked No. 5 in FY 2018)

9. **Fire Drills: NFPA 101, TAG S712** - The facility failed to comply with requirements for conducting fire drills or ensuring staff are familiar with the procedures. (Ranked No. 8 in FY 2018)

10. **Sprinkler System – Installation: NFPA 101, TAG S359** - All Impractical Evacuation Capability facilities shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with 33.2.3.5.3. (Not ranked in FY 2018)

Top 10 Deficiencies Cited During Inspections for FY 2019: Nursing Facilities - Health

1. **Infection Prevention and Control: 42 CFR 483.80(a)(1)(2)(4)(e)(f), TAG 0880** - The facility failed to comply with requirements related to an infection prevention and control program. (Ranked No. 1 in FY 2018)

2. **Food Procurement, Store/Prepare/Serve - Sanitary: 42 CFR 483.60(i)(1)(2), TAG 0812** - The facility failed to comply with certain requirements related to food sources, storage, and safe handling. (Ranked No. 2 in FY 2018)

3. **Develop/Implement Comprehensive Care Plan: 42 CFR 483.21(b)(1), TAG 0656** - The facility failed to comply with certain requirements related to the development and implementation of a person-centered care plan. (Ranked No. 3 in FY 2018)

4. **Free of Accident Hazards/Supervision/Devices: 42 CFR 483.25(d)(1)(2), TAG 0689** - The facility failed to comply with accident prevention requirements. (Ranked No. 5 in FY 2018)

5. **[TIE] Label/Store Drugs and Biologicals: 42 CFR 483.45(g)(h)(1)(2), TAG 0761** - Drugs and biologicals used in the facility must be labeled in accordance with currently accepted professional principles, and include the appropriate accessory and cautionary instructions, and the expiration date when applicable. (Not ranked in FY 2018)

5. **[TIE] Pharmacy Services/Procedures/Pharmacist/Records: 42 CFR 483.45(a)(b)(1)-(3), TAG 0755** - The facility failed to comply with requirements related to the provision of pharmaceutical services. (Ranked No. 4 in FY 2018)

7. **Resident Records - Identifiable Information: 42 CFR 483.20(f)(5); 483.70(i)(1)-(5), TAG 0842** - The facility failed to comply with resident-identifiable information and medical records requirements. (Ranked No. 9 in FY 2018)

8. **Quality of Care: 42 CFR 483.25, TAG 0684** - Quality of care is a fundamental principle that applies to all treatment and care provided to facility residents. Based on the comprehensive assessment of a resident, the facility must ensure that residents receive treatment and care in accordance with professional standards of practice, the comprehensive person-centered care plan, and the residents' choices. (Not ranked in FY 2018)

9. **Reporting of Alleged Violations: 42 CFR 483.12(c)(1)(4), TAG 0609** - Ensure that all alleged violations involving abuse, neglect, exploitation, or mistreatment, including injuries of unknown source and misappropriation of resident property, are reported immediately, but not later than 2 hours after the allegation is made, if the events that cause the allegation involve abuse or result in serious bodily injury, or not later than 24 hours if the events that cause the allegation do not involve abuse and do not result in serious bodily injury, to the administrator of the facility and to other officials (including to the State Survey Agency and adult protective services where state law provides for jurisdiction in long-term. (Not ranked in FY 2018)

10. **Develop/Implement Abuse/Neglect Policies: 42 CFR 483.12(b)(1)-(3), TAG 0607** - The facility failed to comply with requirements related to the development and implementation of written policies and procedures on abuse,

neglect, and exploitation of residents and misappropriation of resident property. (Ranked No. 10 in FY 2018)

Top 10 Deficiencies Cited During Inspections for FY 2019: Nursing Facilities - Life Safety Code

1. **Heating Ventilation and Air Conditioning: National Fire Protection Association (NFPA) 101, TAG 0521** - The facility failed to comply with Life Safety Code requirements for heating, ventilation, and air conditioning systems. (Ranked No. 1 in FY 2018)

2. **Sprinkler System - Maintenance and Testing: NFPA 101, TAG 0353** - The facility failed to comply with requirements for testing, maintaining, and inspecting a sprinkler system or for retaining records related to the sprinkler system. (Ranked No. 2 in FY 2018)

3. **Means of Egress - General: NFPA 101, TAG 0211** - The facility failed to comply with requirements for egress, including aisles, passageways, corridors, exit discharges, or exit locations. (Ranked No. 4 in FY 2018)

4. **Subdivision of Building Spaces - Smoke Barrier Construction: NFPA 101, TAG 0372** - The facility failed to construct smoke barriers in accordance to certain Life Safety Code requirements or with the required resistance ratings. (Ranked No. 3 in FY 2018)

5. **Electrical Systems - Essential Electrical System Maintenance and Testing: NFPA 101, TAG 0918** - The facility failed to test and maintain the generator or alternate power source as required by the Health Care Facilities Code. (Ranked No. 6 in FY 2018)

6. **Hazardous Areas - Enclosure: NFPA 101, TAG 0321** - The facility failed to comply with requirements related to the protection of hazardous areas. (Ranked No. 5 in FY 2018)

7. **Corridor - Doors: NFPA 101, TAG 0363** - The facility failed to comply with requirements related to corridor doors, including door construction and fire rating, means for keeping doors closed, clearance beneath doors, impediments to closure of doors, use of roller latches, or construction and labeling of door frames. (Ranked No. 7 in FY 2018)

8. **Cooking Facilities: NFPA 101, TAG 0324** - The facility failed to comply with requirements related to cooking facilities or cooking equipment. (Ranked No. 8 in FY 2018)

9. **Utilities - Gas and Electric: NFPA 101, TAG 0511** - The facility failed to comply with the National Fuel Gas Code or the National Electric Code related to equipment using gas or related gas piping. (Ranked No. 9 in FY 2018)

10. **Fire Alarm System - Testing and Maintenance: NFPA 101, TAG 0345** - A fire alarm system is tested and maintained in accordance with an approved program complying with the requirements of NFPA 70, National Electric Code, and NFPA 72, National Fire Alarm and Signaling Code. Records of system acceptance, maintenance and testing are readily available. (Not ranked in FY 2018)

Principles

Top 10 Principles Cited During Reviews for FY 2019: Home and Community-based Services

1. **Critical Incident in Data System: 40 TAC §9.178(y)** - The program provider failed to enter critical incident data in the HHSC data system no later than 30 calendar days after the last day of the month being reported. (Ranked No. 1 in FY 2018)

2. **Staff Training on Individual Needs: 40 TAC §9.177(d)(1)(A)** - The program provider failed to conduct initial and periodic training that ensured staff members and service providers were qualified to deliver services as required by the current needs and characteristics of the individuals to whom they delivered services, including the use of restraint. (Ranked No. 3 in FY 2018)

3. **Nursing-Monitoring Medications: 40 TAC §9.174(a)(31)(B)** - The program provider failed to ensure monitoring of medications. (Ranked No. 2 in FY 2018)

4. **Provide Services without Delay: 40 TAC §9.174(a)(3)** – The program provider failed to provide or obtain as needed and without delay all program services. (Not ranked in FY 2018)

5. **Nursing-Comprehensive Assessments: 40 TAC §9.174(a)(31)(J)(ii)** - The program provider failed to ensure the RN performed comprehensive assessments of individuals. (Ranked No. 4 in FY 2018)

6. **Access to Records: 40 TAC §9.178(g)** – The program provider failed to make available all records, reports, and other information related to the delivery of HCS Program services and Community First Choice services as requested by HHSC, other authorized agencies, or the Centers for Medicare and Medicaid Services (CMS) and deliver such items, as requested, to a specified location. (Not ranked in FY 2018)

7. **Share with Service Coordinator: 40 TAC §9.178(c)(2)** – The program provider failed to ensure that the service coordinator was provided with a copy of the results of the on-site inspection within five calendar days after completing the inspection. (Ranked No. 5 in FY 2018)

8. **Nursing–Monitor Health Data: 40 TAC §9.174(a)(31)(C)** – The program provider failed to ensure monitoring of individuals' health information and that unlicensed staff only performed nursing tasks identified in the individual's nursing assessment. (Not ranked in FY 2018)

9. **Background Checks: 40 TAC §9.177(n)** - The program provider failed to complete the required background checks for employees. (Ranked No. 6 in FY 2018)

10. **Informed of Person Directed Plan Progress: 40 TAC §9.173(b)(21)** – The program provider failed to protect and promote the rights of the individual to be informed about the progress or lack of progress being made in the execution of the implementation plan and transportation plan. (Not ranked in FY 2018)

Top 10 Principles Cited During Reviews for FY 2019: Texas Home Living

1. **Report Critical Incident Data: 40 TAC §9.580(r)** - The program provider failed to enter critical incident data in the HHSC data system no later than 30 calendar days after the last calendar day of the month being reported. (Ranked No. 1 in FY 2018)

2. **Staff Training: 40 TAC §9.579(d)(1)(A)** - The program provider failed to conduct initial and periodic training that ensured staff members and service providers are trained and qualified to deliver services as required by the current needs and characteristics of the individual to whom they deliver services. (Ranked No. 10 in FY 2018)

3. **Staff Knowledge/Report Abuse/Neglect: 40 TAC §9.579(d)(1)(B)** - The program provider failed to obtain the signature of a third-party witness acknowledging that the provider obligations had been shared with the individual or Legally Authorized Representative. (Ranked No. 5 in FY 2018)

4. **Background Checks: 40 TAC §9.579(r)** - The program provider failed to complete the required background checks for employees. (Ranked No. 3 in FY 2018)

5. **TxHmL Services Provided: 40 TAC §9.578(d)(1)** - The program provider failed to provide Texas Home Living Program Services in accordance with an individual's Person Directed Plan, Individual Plan of Care, Transportation Plan, and Appendix C of the Texas Home Living Program Waiver Application. (Ranked No. 4 in FY 2017)

6. **Individual Informed to Report Abuse: 40 TAC §9.580(e)(1)** – The program provider failed to ensure the individual and the legal representative were informed in writing of how to report allegations of abuse, neglect or exploitation to state authorities. (Not ranked in FY 2018)

7. **Review/Prevent Abuse Quarterly: 40 TAC §9.580(k)** – The program provider failed to review, at least quarterly, incidents of confirmed abuse, neglect or exploitation, complaints, temporary and permanent discharges, transfers, and unusual incidents. (Not ranked in FY 2018)

8. **No Nursing on Plan of Care: 40 TAC §9.578(q)(1)** - The program provider failed to determine that an individual did not require a nursing assessment when nursing services were not on the individual's plan of care and the program provider determined that no nursing task would be performed by unlicensed service providers. (Ranked No. 9 in FY 2018)

9. **Inform Individual of Provider Obligations: 40 TAC §9.580(a)(20)(B)** – The program provider failed to inform the individual or legal representative of the provider obligations upon revision. (Not ranked in FY 2018)

10. **Signed by Witness: 40 TAC §9.580(a)(21)(C)** - The program provider failed to obtain the signature of a third-party witness acknowledging that the provider obligations had been shared with the individual or Legally Authorized Representative. (Ranked No. 7 in FY 2018)

Appendix H. Waiver Programs - Home and Community-based Services (HCS) and Texas Home Living (TxHmL)

Home and Community-based Services and Texas Home Living Contracts

The tables in this appendix contain information relating to the HCS and TxHmL waiver programs, by category, for fiscal year (FY) 2019, quarters 1 and 2.

Vendor Hold

If LTCR determines that the program provider is not in compliance at the end of the follow-up review, it places a vendor hold on payments due to the program provider. LTCR conducts a second on-site follow-up review between 30 and 45 calendar days after the effective date of the vendor hold.

Denial of Certification

If LTCR determines that the program provider is not in compliance at the end of the follow-up review to vendor hold, it denies certification of the program provider and recommends termination of its waiver program provider agreement.

LTCR can deny certification of a program provider's contract if there is a hazard to the health, safety, or welfare of residents and the hazard is not eliminated before the end of any review or based on a program provider's serious or pervasive noncompliance with one or more of the program principles.

Home and Community-based Services Vendor Holds

HHSC did not recommend vendor hold for any HCS in FY 2019.

Texas Home Living Vendor Holds

HHSC did not recommend vendor hold for any TxHmL in FY 2019.

Home and Community-based Services Denials of Certification

Waiver Contract Area	Waiver Contract City	Contract Number	Contract	Visit Exit Date
4	Willis	1021680	Nayobi Health Services, LLC	9/5/2018

1 Total Home and Community-based Services decertification.

Texas Home Living Denial of Certifications

HHSC did not recommend denial of certification for any TxHmL in FY 2019.

Home and Community-based Services and Texas Home Living Complaints and Referrals

Complaints

Complaints are received by CII. If it determines regulatory action is required, the complaint is referred to regulatory staff, which reviews the complaint to determine follow-up actions.

The actions are determined by:

- The severity of the complaint
- The number and severity of other complaints received about that program provider
- The pattern and trends of any reported abuse, neglect, or exploitation associated with the program provider
- The performance of the program provider on certification reviews

Desk Review

LTCR completes a desk review of the complaint if it is determined that there is low risk to those served by that program provider. The determination of low risk is made if the complaint did not involve issues that relate to the health or safety of those served and if contact with the program provider indicates the situation has been satisfactorily resolved.

On-Site Visit

LTCR conducts an on-site visit if there is significant risk to the clients involved in the complaint. If the program provider is found to be out of compliance with one or more program principles, the results are recorded in a certification review.

Home and Community-based Services and Texas Home Living Complaints

Waiver Program	Referred to Waiver Program	On-site Review Conducted
Home and Community-based Services	66	32
Texas Home Living	6	0
Total	**72**	**32**