



Narcotic Treatment Programs & Chemical Dependency Treatment Facilities - Administrative Penalty Matrix (May 2021)

Max. Penalty of \$25,000 for each day a violation continues to occur is a separate violation for purposes of imposing a penalty however the rule at 25 TAC CH. 229.153 limits HHSC to \$10,000 per a day per a violation.

Severity Level I	Severity Level II	Severity Level III	Severity Level IV	Severity Level V
<p>Narcotic Treatment Programs</p> <p>Violations that are most significant and have a direct negative impact on the public health and safety including, but not limited to, adulteration, misbranding or false advertising that results in fraud.</p> <p>History of previous violations.</p>	<p>Violations that are very significant and have an impact on the public health and safety including, but not limited to, adulteration, misbranding or false advertising that results in fraud.</p> <p>History of previous violations.</p>	<p>Violations that are significant and which, if not corrected, could threaten the public and have an adverse impact on the public health and safety including, but not limited to, adulteration, misbranding or false advertising that results in fraud.</p> <p>History of previous violations.</p>	<p>Violations that are of more than minor significance and if left uncorrected, would lead to more serious circumstances.</p> <p>History of previous violations.</p>	<p>Violations that are of minor safety or fraudulent significance.</p> <p>History of previous violations.</p>
<p>§229.153: Deny, Suspend or Revoke \$7,500 - \$10,000</p>	<p>§229.153: Deny, Suspend or Revoke \$5,000 - \$7,500</p>	<p>§229.153: Deny, Suspend or Revoke \$2,500 - \$5,000</p>	<p>\$1,250 - \$2,500</p>	<p>\$500 - \$1,250</p>

Facility Type	Severity Level I	Severity Level II	Severity Level III
Chemical Dependency Treatment Facilities	Violations that have or had an adverse impact on the health and safety of a patient.	Violations that have or had the potential to cause an adverse impact on the health and safety of a patient but did not actually have an adverse impact.	Violations that have or had minor, or no, health or safety significance.
(The HSC § 464.019 allows a max. penalty of \$25, 000 for each day a violation continues or occurs as a separate violation for purposes of imposing a penalty)	§448.409: Suspend, Revoke, Refusal to issue or Renew. §448.1506: Revoke Exemption \$15,000 - \$25,000/ day/ violation	\$5,000 - \$15,000 /day /violation	\$100 - \$5,000 /day / violation

Informal Conference Good Faith Effort-Range Matrix

No effort to come into compliance	Poor - Fair effort to come into compliance	Fairly - Good Faith effort to come into compliance	Good Faith effort to come into compliance
No reduction	5% -10% reduction with option for probation, if needed	10% - 15% reduction with option for probation, if needed	15% - 20% reduction with option for probation, if needed