



Long-Term Care Regulatory Provider Letter

Number: PL 2022-17
Title: Expiration of Emergency Rules
Provider Types: Assisted Living Facilities (ALF)
Date Issued: July 27, 2022

1.0 Subject and Purpose

This PL reminds facilities that following the expiration of ALF emergency rules related to COVID-19, facilities are responsible for developing, implementing, enforcing, and maintaining infection prevention and control policies and procedures to ensure the health and safety of residents.

2.0 Policy Details & Provider Responsibilities

2.1 Emergency Rule Expiration

The status of the ALF emergency rules is as follows:

- COVID-19 Response in 26 TAC §553.2001 will expire July 31, 2022 and will not be renewed.
- Expansion of Reopening Visitation in 26 TAC §553.2003 expired on June 16, 2022 and was not renewed.
- Vaccination Data Reporting and Emergency Communication System Enrollment in 26 TAC §553.2004 expired on May 5, 2022 and was not renewed.

During a public health emergency or disaster, facilities must follow the requirements in 26 TAC [Chapter 570, Subchapter B](#). Facilities must follow the licensing standards in 26 TAC [Chapter 553](#) at all times.

2.2 Infection Prevention and Control

Facilities must develop, enforce, and maintain infection prevention and control policies and procedures. These policies and procedures must be designed to provide a safe, sanitary, and comfortable environment for residents while preventing the development and transmission of disease and infection.

A facility's infection control policies and procedures must include:

- protocols for visitors and residents regarding face masks or face coverings;
- physical distancing guidelines;
- transmission-based precautions; and
- appropriate protocols for PPE including gloves, gowns, or masks when called on for anticipated exposure.

A facility must allow residents unrestricted communication, including personal visitation with any person of the resident's choice – refer to [§553.267\(a\)\(3\)\(J\)](#). Facilities should also use CDC guidance (link in 3.0 Resources) to assist in developing infection control protocols. ALFs are responsible for complying with all infection prevention and control requirements in [§553.261\(f\)](#) to ensure the health and safety of residents.

2.3 Reporting Communicable Diseases

Reporting positive COVID-19 cases to HHSC is no longer required; however, a facility must immediately report the name of any resident with a reportable disease (including novel coronavirus) to the local health department or the Department of State Health Services as specified in 25 TAC [Chapter 97, Subchapter A](#).

3.0 Resources

- 25 TAC [Chapter 97 Subchapter A Control of Communicable Diseases](#)
- 26 TAC [§553.261\(f\) Infection Prevention and Control](#)
- 26 TAC [Chapter 570 LTC Rules during a Public Health Emergency or Disaster](#)

- CDC Guidance - [Interim Infection Prevention and Control Recommendations for Healthcare Personnel During the Coronavirus Disease 2019 \(COVID-19\) Pandemic](#)

4.0 Contact Information

If you have any questions about this letter, please contact the Policy and Rules Section by email at LTCRPolicy@hhs.texas.gov or call (512) 438-3161.