



Long-Term Care Regulatory Provider Letter

Number: PL 2024-26

Title: Changes to 26 TAC Chapter 553 Assisted Living Facility Regulations

Provider Types: Assisted Living Facilities (ALF)

Date Issued: September 12, 2024

1.0 Subject and Purpose

This provider letter describes the key changes made to 26 TAC Chapter 553 Assisted Living Facility Licensing Requirements, based on legislation from the 88th Legislature, Regular Session (2023) to implement House Bills (HBs) 1009, 1673, and 4696. An additional amendment was also made to the rules to clarify that an accreditation organization can conduct a life safety code survey for a facility. The new rules and amendments become effective September 12, 2024 except for those related to HB 1673 which will become effective December 31, 2024.

2.0 Policy Details & Provider Responsibilities

Amendments throughout Chapter 553 address the implementation of HBs 1009, 1673, and 4696 from the 88th Legislature, Regular Session, 2023.

2.1 Implementation of HB 1009

HB 1009 requires an ALF to suspend the employment of an employee who HHSC finds has engaged in reportable conduct, and who has been reported to the Employee Misconduct Registry, while the employee exhausts any appeals process including informal and formal appeals and any hearing or judicial review. The facility must not reinstate the employee's employment or contract during any applicable appeals process. Regulations regarding these requirements are in [26 TAC §553.257](#).

2.2 Implementation of HB 1673

HB 1673 requires facilities that provide personal care services to residents with Alzheimer's disease or related disorders that are not Alzheimer's certified to ensure staff complete competency-based training and annual continuing education on Alzheimer's disease and related disorders. This bill specifies what trainings must be provided when a facility serves residents with Alzheimer's disease and related disorders. The requirements and trainings are in 26 TAC [§553.254](#) and [§553.255](#). Staff are not required to complete the trainings or pass the competency-based evaluation until the effective date of this bill, December 31, 2024.

2.3 Implementation of HB 4696

H.B. 4696 removes the requirement for HHSC to conduct on-site investigations unless the investigation involves allegations of abuse or neglect. These requirements are in [26 TAC §553.329](#).

2.4 Accreditation clarification

26 TAC [§553.17](#) was amended to clarify that an accreditation commission can conduct a life safety code survey of a facility based on the requirements in [Subchapter D](#) of 26 TAC Chapter 553 relating to Facility Construction.

3.0 Resources

- [HB 1009](#), 88th Legislature, Regular Session (2023)
- [HB 1673](#), 88th Legislature, Regular Session (2023)
- [HB 4696](#), 88th Legislature, Regular Session (2023)

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.