



COMMISSIONER
Jon Weizenbaum

December 8, 2015

To: Programs of All-Inclusive Care for the Elderly Providers (PACE)

Subject: Information Letter No. 15-76
Military Person or Dependent and Interest List

The 84th Legislature, Regular Session, 2015, passed Senate Bill (SB) 169, which requires the Texas Department of Aging and Disability Services (DADS) to allow military members, their spouse or dependent children remain on an interest list if they are temporarily residing outside of the state as a result of military service. This requirement applies to DADS programs including PACE.

PACE organizations must maintain an interest list containing the names of individuals who reside in Texas interested in PACE services. Information provided by the individual for the interest list must include a Texas address for the individual requesting services.

Effective December 1, 2015, a military member, the member's spouse or dependent child interested in receiving PACE services residing temporarily out of the state because of military assignments, will remain on the interest list while the military member is on active duty; or for up to one year after the former military member's active duty ends. The spouse or dependent child of a military member who was killed in action or died while in service will also remain on the interest list for up to one year. The military member must have declared and maintained Texas as the member's state of legal residence. Examples of a military member include members of the Army, Navy, Air Force, Marine Corps, or Coast Guard.

If a military member's spouse or dependent child on the PACE interest list reaches the top of the list, but is unavailable due to living temporarily out of the state, the PACE organization will hold that person's position for up to one year after the date the member's active duty ends, or the military member is killed in action or died while in service. PACE organizations holding a position for an out of state military member, the member's spouse or dependent child, will offer services to the next person on the PACE interest list.

DADS will add language to the Texas Administrative Code, Title 40, Part 1, Chapter 60, §60.10. The new language provides direction to PACE organizations for maintaining the interest list and offering services to applicants, including adding and removing names from the interest list. PACE organizations must revise their policies and procedures to comply with these requirements.

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If you have any questions or need additional information, please contact Gilbert Estrada at gilbert.estrada@dads.state.tx.us or (512) 438-4208.

Sincerely,

[signature on file]

Lisa Akers-Owen

Director

Community Services and Program Operations

LAO:slr