



Long-Term Care Regulatory Provider Letter (PL)

Number: PL 18-11 (ALF)
Title: Life Safety Code Technical Memoranda
Provider Types: Assisted Living Facilities (ALF)
Date Issued: July 2, 2018

1.0 Subject and Purpose

Technical Memoranda (TM) concerning prescribed Life Safety Code (LSC) standards for ALFs are published at least two times a year. Each TM provides guidance on the Health and Human Services Commission's (HHSC) interpretation of the minimum LSC standards prescribed under Health and Safety Code (HSC) Chapter 247 and Title 40, Texas Administrative Code, Chapter 92 for ALFs, with explanations to assist ALF providers to more easily understand the prescribed LSC standards. Each TM is binding and must be followed by both ALF providers and HHSC LSC inspectors. The intention is for TMs to create statewide consistency in the application and enforcement of the prescribed minimum LSC standards.

2.0 Policy Details & Provider Responsibilities

An ALF provider is responsible for reviewing the LSC TM and complying with the guidance provided therein. Providers must make the information available to all staff members responsible for ensuring compliance with LSC requirements, which may include, among other staff, maintenance, facility operations, and housekeeping personnel. The TM is effective and will be enforced starting the date it is published.

An ALF must comply with the guidance provided by each TM as applicable to that facility. An ALF is not required to comply with the guidance provided in the TM if the condition described in the TM does not exist, or is not required to exist in the facility. For example, if the TM describes requirements that apply only to large facilities, a small facility may not be required to comply with those requirements that are limited to large facilities unless the optional feature exists in the facility. If the TM addresses standards that relate to optional facility features, the TM applies only to ALFs that have those optional features.

When an ALF provider is not compliant with a LSC rule or requirement, HHSC LSC inspectors will cite the facility for non-compliance specific to the rule or requirement. The LSC TM may be used as part of the evidence in the violation.

The TMs are available to providers on the [HHSC Provider Resources Communications](#) website in the Technical Memoranda section.

Providers can sign up to receive text or email alerts when a new publication is posted by registering for alerts at [GovDelivery](#).

3.0 Background/History

TMs are being issued based upon the statutory requirement established by Senate Bill (SB) 1049, 85th Legislature, Regular Session, 2017. SB 1049 amended HSC [§247.0263](#) to require HHSC to issue a TM for ALFs regarding prescribed LSC requirements at least twice a year.

HHSC solicits and considers input from interested parties and experts to assist in determining standards that need to be addressed in TM.

4.0 Forms/Appendices

None.

5.0 Contact Information

If you have any questions about this letter, please contact the Policy, Rules and Training Section at (512) 438-3161.

[signature on file]

Mary T. Henderson
Associate Commissioner
Long-term Care Regulatory

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