



Long-Term Care Regulatory Provider Letter

Number: PL 18-21 (Replaces, in part, PL 10-10 and PL 10-11)
Title: Expedited Life Safety Code Inspection Time Frames
Provider Types: Nursing Facility (NF) and Assisted Living Facility (ALF)
Date Issued: May 10, 2019

1.0 Subject and Purpose

This provider letter (PL) is to clarify the 15-business-day time frame provided by rule for HHSC to conduct an expedited Life Safety Code® and physical plant inspection (ELSC) of a NF or an ALF license applicant. If a NF or ALF license applicant requests an ELSC, it must be prepared for HHSC to survey the facility on any day during the applicable 15-business-day time frame. This PL replaces the portions of NF PL 10-10 and ALF PL 10-11 which address ELSCs.

2.0 Policy Details & Provider Responsibilities

A NF or ALF license applicant may submit a written request for an ELSC and fee at any time during the application process. When the licensing specialist has a complete application and fee, and a written request for ELSC inspection and fee a request is made to Survey Operations for the ELSC inspection. Survey Operations will schedule the ELSC within 15 business days. HHSC’s inspection may occur on any day within the applicable 15-business-day time frame.

The ELSC inspection could occur as early as the next business day. The applicant must be ready for inspection once Survey Operations has the request. The fee covers only one ELSC inspection.

If the facility is not prepared for the inspection when Survey Operations arrives, they must reschedule and submit a new written request, then pay a new fee. If HHSC is unable to meet the request to provide an ELSC within the required time frame, the applicant may request a refund.

3.0 Background/History

Texas Health and Safety Code §242.039(g) and § 247.0211 require the HHSC executive commissioner to adopt rules to implement an ELSC process and authorized charging a fee to recover the cost of the ELSC.

4.0 Resources

None.

5.0 Contact Information

If you have any questions about this letter, please contact the Policy, Rules and Training Section by email at PolicyRulesTraining@hhsc.state.tx.us or call (512) 438-3161.