

Long-Term Care Regulatory Provider Letter

Number: PL 19-16
Title: Responsibility for Records After a Management Change
Provider Types: Assisted Living Facility (ALF), Day Activity and Health Services (DAHS) Facility, Home and Community Support Services Agency (HCSSA), Intermediate Care Facility for Individuals with an Intellectual Disability or Related Conditions (ICF/IID), Nursing Facility (NF), Prescribed Pediatric Extended Care Center (PPECC)
Date Issued: July 3, 2019

1.0 Subject and Purpose

HHSC Long-term Care Regulatory (LTCR) is issuing this letter as a reminder that developing and maintaining records required by applicable licensure rules¹ is the responsibility of a license holder at all times, including when the license holder makes a change to its management company.

2.0 Policy Details & Provider Responsibilities

Records must be developed and maintained according to applicable licensure rules. These records may include client/patient records (e.g., assessments, plans of care), personnel records (e.g., position descriptions, criminal history checks) and financial records (e.g., client trust funds).

LTCR surveyors will cite a license holder if the required records are not current, accurate and available when requested. A license holder may be subject to an administrative penalty based on the applicable licensure rules and the circumstances of the violation.

¹ Texas Administrative Code, Title 40, Part 1, [Chapter 19](#) and [Chapter 98](#); Title 26, Part 1, [Chapter 550](#), [Chapter 551](#), [Chapter 553](#), and [Chapter 558](#).

3.0 Background/History

It is increasingly common for LTCR surveyors to learn that required records are missing or are inaccessible after a license holder changes its management company. This letter is being issued to remind license holders of their responsibility to maintain required records at all times and provide the records to surveyors when requested.

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.