

§ 558.27 Application and Issuance of an Initial Branch Office License

(a) An agency with a current license to provide licensed home health services, licensed and certified home health services, or personal assistance services may qualify for a branch office license, if the parent agency:

- (1) is found to be in substantial compliance with the Statute and this chapter;
- (2) has no enforcement action pending against the license; and
- (3) meets its initial survey requirements before HHSC approves a branch office license.

(b) To apply for a branch office license, an agency must submit an application for the license to HHSC through the online portal, in accordance with § 558.12 of this subchapter (relating to General Application).

(c) A designated survey office conducts a review of an agency's request to establish a branch office. The survey office makes a recommendation to approve or disapprove the branch office request.

(d) HHSC approves or denies the application for a branch office license after considering the designated survey office's recommendation. If HHSC denies the application, HHSC sends the agency a written notice:

- (1) of its decision; and
- (2) the agency's opportunity to appeal its decision through a formal hearing process as described in § 558.601 of this chapter (relating to Enforcement Actions).

(e) CMS approves or denies the branch location if an agency is licensed to provide licensed and certified home health services.

(f) A branch office license expires on the same expiration date as the parent agency's license. To renew a branch office license, the license holder must submit, to HHSC through the online portal, a complete and accurate renewal application and all required fees for the branch office license application, and the agency may renew it with the parent agency's license.

(g) If HHSC grants a branch office license, it provides the branch office license to the license holder for the parent agency and branch office. The branch office must post the license in a conspicuous place on the licensed branch office premises.

(h) A branch office must comply with § 558.321 of this title (relating to Standards for Branch Offices) and the additional standards that relate to the agency's authorized categories under the license.

(i) Unless an agency is exempt from the survey, as specified in § 558.503 of this chapter (relating to Exemption From a Survey), HHSC does not renew a branch office license if it has not conducted a health survey of a branch office after issuance of the license to verify compliance with the Statute and this chapter.

Notes

26 Tex. Admin. Code § 558.27

The provisions of this §558.27 adopted to be effective June 1, 2006, 31 TexReg 1455;
Transferred from Title 40, Chapter 97 by Texas Register, Volume 44, Number 15, April 12,
2019, TexReg 1893, eff. 5/1/2019; Amended by Texas Register, Volume 46, Number 15,
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