

## § 558.213 Agency Relocation

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(a) An agency must not transfer a license from one location to another without prior notice to HHSC. If an agency is considering relocation, the agency must submit written notice to HHSC to report a change in physical location at least 30 days before the intended relocation, unless HHSC grants the agency an exemption from the 30-day time frame as specified in subsection (b) of this section. A change in physical location for a hospice inpatient unit requires HHSC to conduct a survey to approve the new location.

(b) An agency must notify HHSC immediately if an unexpected situation beyond the agency's control makes it impossible for the agency to submit written notice to HHSC no later than 30 days before the agency relocates. HHSC grants or denies the exemption.

(1) If HHSC grants the exemption, the agency must submit written notice to HHSC as described in subsection (c) of this section within 30 days after the date HHSC grants the exemption.

(2) If HHSC denies the exemption, the agency may not relocate until at least 30 days after the agency submits the written notice to HHSC, as described in subsection (c) of this section.

(c) An agency must report a change in physical location to HHSC in accordance with §558.208 of this division (relating to Reporting Changes in Application Information and Fees).

(d) If an agency reports a change in physical location, the agency must pay a fee and may be subject to a late fee, as described in §558.208 of this division.

(e) HHSC sends the agency a Notification of Change reflecting the new location. The agency must post the Notification of Change beside its license in accordance with §558.211 of this division (relating to Display of License).

(f) A Medicare certified home health and hospice agency must comply with applicable federal laws and regulations and the requirements of this section for reporting an agency relocation. A change in physical location for a Medicare-certified agency requires HHSC review.

(g) An agency is exempt from the requirements in subsections (a) - (d) of this section when reporting a temporary relocation that results from the effects of an emergency or disaster, as specified in § 558.256(o) of this subchapter (relating to Emergency Preparedness Planning and Implementation).

### Notes

26 Tex. Admin. Code § 558.213

The provisions of this §558.213 adopted to be effective February 1, 2002, 26 TexReg 9159; amended to be effective June 1, 2006, 31 TexReg 1455; amended to be effective July 1, 2012, 37 TexReg 4613; 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, April 9, 2021, TexReg 2430, eff. 4/25/2021