

# § 558.208 Reporting Changes in Application Information and Fees

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(a) If certain information provided on an initial or renewal application changes after HHSC issues the license, an agency must report the change to HHSC via the online portal. The agency must use the Home and Community Support Services Agency License Application, (HHSC Form 2021) to report the change. To avoid a late fee, an agency must report a change as required in this subsection and pay in full applicable fees required under subsection (b) of this section, within the time frame specified for the type of change.

(1) For requirements on reporting a change in the agency's location, see §558.213 of this division (relating to Agency Relocation);

(2) For requirements on reporting a change in the agency's contact information and operating hours, see §558.214 of this division (relating to Notification Procedures for a Change in Agency Contact Information and Operating Hours);

(3) For requirements on reporting a change to the agency's name, see §558.215 of this division (relating to Notification Procedures for an Agency Name Change);

(4) For requirements on reporting a change in the agency's organizational management personnel, see §558.218 of this division (relating to Agency Organizational Changes);

(5) For requirements on adding or deleting a category of service to the license, see §558.219 of this division (relating to Procedures for Adding or Deleting a Category to the License); and

(6) For requirements on expanding or reducing the agency's service area, see §558.220 of this division (relating to Service Areas).

(b) The schedule of fees an agency must pay when the agency timely submits HHSC Form 2021, to report changes in application information, is as follows.

(1) An agency is not required to pay a fee if the agency reports changes to contact information and operating hours, within the required time frame, as specified in §558.214 of this division.

(2) An agency is not required to pay a fee if the agency reports a change in the alternate administrator, within the required time frame, as specified in §558.218 of this division.

(3) An agency must pay a fee of \$30 if the agency, within the required time frame, reports one or more of the following changes:

(A) a change in physical location, as specified in §558.213 of this division;

(B) a change in name (legal entity or doing business as), as specified in §558.215 of this division;

(C) a change in administrator, chief financial officer, or controlling person, as specified in §558.218 of this division;

(D) a change in category of service designated on a license, as specified in §558.219 of this division; or

(E) a change in service area, as specified in §558.220 of this division.

(4) HHSC does not consider a change of information as officially submitted until the online

portal reflects a status of payment received, if a fee is applicable.

(c) If an agency untimely submits HHSC Form 2021 to report one or more changes referenced in subsection (a) of this section, the agency must pay a late fee of \$100. If an agency must pay a fee of \$30 for reporting a change referenced in subsection (b)(3) of this section, the \$100 late fee is in addition to the \$30 fee.

(d) If HHSC determines, based on review of an agency's renewal application, that an agency did not report a change in application information as required by this section, HHSC notifies the agency in writing of the fee amount due for payment.

(e) If HHSC determines, based on a survey, that an agency did not report a change in application information as required by this section, HHSC notifies the agency in writing of the fee amount due for payment. Reporting the change and paying the required fee does not preclude HHSC from taking other enforcement action against the agency as specified in § 558.601 of this chapter (relating to Enforcement Actions).

(f) If an agency pays a fee to HHSC to report a change in application information, the fee is not refundable. HHSC accepts payment for a required fee as described in § 558.3(f) of this chapter (relating to License Fees).

(g) HHSC may suspend or revoke a license or deny an application for a renewal license if an agency does not pay a fee, as required by this section, within 30 days after HHSC provides written notice of a fee amount due for payment. Within 10 days after receipt of HHSC's written notice of a fee amount due for payment, an agency may submit proof to HHSC that the agency:

(1) submitted HHSC Form 2021 to timely report a change in application information, as specified in each rule referenced in subsection (a) of this section; and

(2) paid the fee amount required by this section when the agency submitted HHSC Form 2021.

#### Notes

26 Tex. Admin. Code § 558.208

The provisions of this §558.208 adopted 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