

§ 558.521 Requirements for an Initial Survey

(a) No later than six months after the effective date of an agency's initial license, an agency must:

(1) admit and provide services to clients as described in subsection (b) of this section; and
(2) except as provided in subsection (f) of this section, submit a written request for an initial licensure survey to the designated survey office, as described in subsection (c) of this section.

(b) Before submitting a written request to HHSC for an initial licensure survey, an agency must admit clients and provide services as described in this subsection. The categories of service on an initial license may include licensed home health services (LHHS), LHHS with home dialysis designation, hospice services, and personal assistance services (PAS).

(1) When an initial license includes only one category of service, an agency must admit and provide services to at least one client.

(2) When an initial license includes the LHHS and the PAS categories, an agency must admit and provide LHHS to at least one client.

(3) When an initial license includes the LHHS and the LHHS with home dialysis designation categories, with or without the PAS category, an agency must admit and provide LHHS with home dialysis designation to at least one client.

(4) When an initial license includes the hospice services and the PAS categories, an agency must admit and provide hospice services to at least one client.

(5) When an initial license includes the LHHS and the hospice services categories, with or without the PAS category, an agency must admit and provide LHHS services to at least one client and admit and provide hospice services to at least one client.

(6) When an initial license includes the LHHS, the LHHS with home dialysis designation, and the hospice services categories, with or without the PAS category, an agency must admit and provide LHHS with home dialysis designation to at least one client. The agency must also admit and provide hospice services to at least one client.

(c) The agency's written request for an initial survey must be submitted to the designated survey office using HHSC Form 2020 Notification of Readiness for Initial Survey. The written request must include the name, date of admission, and the category of service provided to each client admitted for services to demonstrate that the agency has admitted clients and provided services as described in subsection (b) of this section.

(d) An agency must have the following information available and ready for review by a surveyor upon the surveyor's arrival at the agency:

(1) a list of clients who are receiving services or who have received services from the agency for each category of service licensed. The list must comply with the requirements of § 558.293 of this chapter (relating to Client List and Services);

(2) the client records for each client admitted during the licensing period before the initial survey;

(3) all agency policies as required by this chapter; and

(4) all personnel records of agency employees.

(e) HHSC may propose to deny an application to renew, or revoke or suspend, an initial license for the reasons specified in § 558.15(c) of this chapter (relating to Issuance of an Initial License).

(f) An agency is not required to request an initial survey in accordance with subsection (a)(2) of this section if the agency is exempt from the survey as specified in § 558.503 of this subchapter (relating to Exemption From a Survey). To demonstrate that it is exempt, the agency must send the accreditation documentation from the accreditation organization to the HHSC designated survey office no later than six months after the effective date of its license.

(g) If an agency receives written notice of accreditation from the accreditation organization after the agency submits a written request to HHSC for an initial licensure survey, the agency may demonstrate that it is exempt from the survey by sending the accreditation documentation to the HHSC designated survey office before HHSC arrives at the agency to conduct an initial survey.

Notes

26 Tex. Admin. Code § 558.521

The provisions of this §558.521 adopted to be effective June 1, 2006, 31 TexReg 1455; amended to be effective September 1, 2008, 33 TexReg 1149; 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 2432, eff. 4/25/2021