MEMORANDUM
Texas Department of Human Services * Long Term Care/Policy

TO: LTC-R Regional Directors
LTC-R Program Managers
State Office Section/Unit Managers

FROM: Jim Lehrman
Associate Commissioner
Long Term Care-Regulatory
State Office MC: E-340

SUBJECT: Guidance for Processing a Change of Ownership (CHOW) Packet for Licensed Nursing Facilities, Intermediate Care Facilities for Persons with Mental Retardation and Related Conditions, Assisted Living Facilities, and Adult Day Care Facilities -- S&CC #99-17

DATE: September 15, 1999 (revised 12/16/1999 to include ICFMR Facilities)

The purpose of this guidance is to provide Long Term Care-Regulatory (LTC-R) surveyors with standardized time frames for processing Change of Ownership (CHOW) packets.

Upon notification to the regional office from Facility Enrollment that a licensure visit is required for a CHOW, the regional office will conduct an unannounced visit within 21 calendar days. LTC-R staff must conduct unannounced visits to the facility to determine whether or not a facility is in substantial compliance, prior to processing the CHOW application.

A determination of substantial compliance must be made within ten (10) calendar days from the date of survey exit. The regional office notifies the Applications and Issuances Section, Facility Enrollment within 24 hours by fax [(512) 438-2727] or e-mail that the facility is in substantial compliance.

When a facility is not in substantial compliance, the regional office will conduct a follow-up visit within 21 calendar days from the date of the facility's Plan of Correction (POC) (which the facility must submit no later than the 10th calendar day from the receipt of the statement of the deficiencies) to determine compliance. If the facility continues to be out of compliance on the follow-up visit, the CHOW application is denied by SO Facility Enrollment. If the facility reapply, the application will be treated as an initial inspection, and the facility must be in compliance with both the Life Safety Code and the Health standards.

A process is currently being developed to standardize licensure inspections; the CHOW component will be integrated into this protocol. We will keep you informed as this procedure is developed.

If you have any questions or need additional information, please contact Dot Cole or Brent Pokorny in the Facility Enrollment Section, at (512) 438-2630.

{Original Signature on File}

Jim Lehrman

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