MEMORANDUM
Texas Department of Human Services
Long Term Care/Policy * Survey and Certification Clarification

TO: Long Term Care-Regulatory
Regional Directors, State Office Section Managers, and
HCSSA Program Administrators

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

SUBJECT: Transfer of Informal Dispute Resolution (IDR) Function to the Texas Health and Human Services Commission (HHSC) -- S&CC #02-01

DATE: February 6, 2002

The 77th Texas Legislature passed Senate Bill 527 and Senate Bill 1839, which transferred the IDR function for nursing facilities, ICFMR/RC facilities, and assisted living facilities from the Texas Department of Human Services (DHS) to HHSC, effective January 1, 2002. Procedures, guidelines and forms for the IDR process may be accessed at the HHSC web site: http://www.hhsc.state.tx.us/hhsc_projects/IDR/idr_home.html. For detailed procedural changes, please refer to the IDR Guidelines and Procedures for Providers.

In summary, effective January 1, 2002:

- All requests for nursing facility, ICFMR/RC facility, and assisted living facility IDRs should be sent to HHSC at:

  **Regular Postal Delivery:**
  IDR Request
  Health and Human Services Commission
  Research, Planning, and Evaluation
  P.O. Box 13247
  Austin, TX 78711-3247
  Fax: (512) 424-6590

  **Overnight Delivery:**
  IDR Request
  Health and Human Services Commission
  Research, Planning, and Evaluation
  Brown-Healy Building
  4900 North Lamar
  Austin, TX 78751
  Phone: (512) 424-6500 or 424-6507

- The provider must submit the IDR request form to HHSC and to the DHS regional office within (ten) 10 calendar days of receipt of the statement of deficiencies/violations.
- The provider must attach IDR registration information to the IDR request form for any individual representing an institution or facility in an IDR.
- The provider must submit all IDR supporting documentation within five (5) calendar days of the submittal of the IDR request.
- Informal reviews for ICFMR/RC facilities will be conducted by HHSC. (NOTE: These reviews will now be known as informal dispute resolutions, to provide consistency across facilities for which HHSC conducts IDRs.)
• HHSC will complete the IDR process within 30 calendar days of receipt of the IDR request.

Please instruct providers to begin using HHSC procedures and formats for any IDRs requested after January 1, 2002. You should also continue to replace the entire IDR section of the current notification letters as previously instructed. Policy interpretations and provider letters will be reviewed and revised to reflect changes in policy. Questions regarding the IDR process should be directed to Cindy Bourland, Section Manager, Research, Planning and Evaluation, HHSC, at (512) 424-6507.

- Signature on File -

Jim Lehrman
Deputy Commissioner
Long Term Care-Regulatory

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