



## TEXAS HEALTH AND HUMAN SERVICES COMMISSION

THOMAS M. SUEHS  
EXECUTIVE COMMISSIONER

August 30, 2011

To: Community Based Alternatives Assisted Living/Residential Care Providers  
Community Based Alternatives Home and Community Support Services Providers  
Community Living Assistance and Support Services Case Management Agency and  
Direct Service Agency Providers  
Day Activity and Health Services Providers  
Deaf Blind Multiple Disabilities Providers  
Home and Community-based Services Providers  
Intermediate Care Facility for Persons with Mental Retardation Providers  
Nursing Facility Providers  
Primary Home Care Providers  
Assisted Living and Residential Care Providers  
Texas Home Living Providers

Subject: **Information Letter No. 11-111**  
Changes to Requirements for Requesting Informal Reviews  
Effective September 1, 2011

Dear Provider,

The Texas Health and Human Services Commission (HHSC) adopted amendments to its Cost Determination Process rules governing the Informal Reviews and Formal Appeals at 1 Texas Administrative Code (TAC) §355.110, effective September 1, 2011.

These amendments indicate that a request for an informal review that does not meet the requirements of 1 TAC §355.110(c)(1)(B) will not be accepted. 1 TAC §355.110(c)(1)(B) requires that an interested party must, with its request for an informal review, submit the following:

1. A concise statement of the specific actions or determinations it disputes;
2. Its recommended resolution; and
3. Any supporting documentation the interested party deems relevant to the dispute.

Prior to September 1, 2011, if an interested party submitted a request for an informal review that did not include the information indicated above, HHSC would request the information from the interested party through a certified mailing, giving the interested party an additional 15 days to provide the information. Effective September 1, 2011, if an interested party submits a request for an informal review that does not include the information indicated above, HHSC will deny the request, based on the fact that it did not comply with the requirements of 1 TAC §355.110(c)(1)(B).

Under the requirements of 1 TAC §355.110(c)(1)(B), HHSC requires the following:

1. If an interested party is disputing an adjustment made by HHSC to their cost report, they must include, with their request for informal review, a description of the cost report item they are disputing, what they believe the correct value of the item should be, why they believe this, and supporting documentation (for example, payroll records, timesheets, canceled checks, etc.,) that supports their argument.
2. If an interested party is submitting a correction to their report, they must include, with their request for informal review, a description of the cost report item they are correcting, what they believe the correct value of the item should be, why they believe this, and documentation that supports their corrected value (see item 1, above, for examples of supporting documentation).

Requests for informal review that do not include the required information will be denied in accordance with §355.110(e) subsections (c)(1)(A)-(C) of 1 TAC §355.110 and not subject to further appeal.

If you have questions about how to submit a request for informal review, contact the Rate Analyst for your program as indicated on the cover page of the Specific Instructions for the completion of your cost report.

Sincerely,

*[signature on file]*

Pam McDonald  
Director, HHSC Rate Analysis for Long-Term Services and Supports