



COMMISSIONER
Jon Weizenbaum

October 11, 2013

To: Hospice Agencies with a Freestanding Inpatient Unit

Subject: Provider Letter (PL) 13-37 Emergency Preparedness Planning for External and Internal Disasters (Replaces PL 11-25 & 06-18)

The purpose of this letter is to remind hospice agencies with freestanding [inpatient units](#) of their responsibility to ensure patient safety during an external or internal disaster.

All home and community support services agencies (HCSSAs) must comply with Texas Administrative Code (TAC), Title 40, Part 1, Chapter 97, [§97.256](#) and have a written emergency preparedness and response plan. Such a plan must be based on a risk assessment of potential disasters that are most likely to occur in the agency's licensed service areas.

In addition to meeting the requirement at 40 TAC §97.256, the written emergency preparedness and response plan for a hospice agency with a freestanding inpatient unit must address the core functions of emergency management required at 40 TAC §97.871(a)(2)(A)-(G) (relating to the Physical Environment in a Hospice Inpatient Unit). Also, the plan must prepare for both external and internal disasters based on its risk assessment. For internal disasters, the hospices should include disasters such as failures of the heating and cooling system, power outages, fires, explosions and bomb threats (refer to [40 TAC §97.2\(40\)](#)). Moreover, 40 TAC §97.871(a)(2)(G)(v) requires procedures to conduct emergency response drills at least annually either in response to an actual disaster or in a planned drill. The planned drill may be in addition to or combined with the drills required by the Life Safety Code requirements as specified at 40 TAC §97.871(c)(1).

A hospice agency with a freestanding inpatient unit must evacuate or transport its clients when appropriate in response to an external or internal disaster (refer to [40 TAC §97.256\(a\)](#)).

The following is a synopsis of the core functions of emergency management found in 40 TAC §97.871(a)(2)(A)-(G). Please refer to the specific regulations for all the requirements:

- A) **Direction and control** (the person who will make the decision to evacuate, or shelter in place, and who will direct and coordinate staffing requirements)
- B) **Communication** (continuity of communication, including during an evacuation and by what mechanism) (A hospice provider may use the Facility Information, Vacancy and Evacuation System [web-based system](#) designed to help DADS-regulated facilities relocate and track clients during disasters that require mass evacuations.)
- C) **Resource management** (continuity of contracts, supplies, transportation, staff, equipment, medications, food, water, emergency power, potable water and extra medical supplies)

- D) **Sheltering in place** (the building structure, communication with emergency agencies, staffing, continuity of care)
- E) **Evacuation** (prearranged receiving destinations, routes, client records, staff, counseling services, the decision to return)
- F) **Transportation** (type, backup plan, coordination)
- G) **Training** (procedures on when and how the plan is reviewed by client and staff, staff training and responsibility, drills, participation of the clients)

A hospice agency with a freestanding inpatient unit must ensure that appropriate personnel are fully trained with respect to their duties under the written emergency preparedness and response plan (refer to 40 TAC §97.871(a)(2)(G)(iv)).

For additional disaster resources, refer to the DADS [Resources for DADS service providers](#) website. There you will find related links to the DADS hurricane information site, the Texas Online disaster response portal, the Texas Department of State Health Services hurricane site, and many other resources.

If you have questions regarding this provider letter, please contact a HCSSA policy program specialist at (512) 438-3161.

Sincerely,

[signature on file]

Mary T. Henderson
Assistant Commissioner
Regulatory Services

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