



COMMISSIONER
Jon Weizenbaum

February 24, 2014

To: Home and Community-based Services (HCS) Providers
Texas Home Living (TxHmL) Providers

Subject: **Information Letter 14-13**
Informal Review Request for HCS and TxHmL Providers

Effective March 1, 2014, the Waiver Survey and Certification (WS&C) unit of the Department of Aging and Disability (DADS), will allow HCS and TxHmL providers to request an informal review of the findings in a draft report of a review conducted in accordance with DADS rule at 40 TAC §9.185 and §9.577. DADS gives the draft report to providers at the review exit conference.

The informal review process is as follows:

- If a program provider disagrees with any of the findings of a draft report described above, the program provider may request that DADS conduct an informal review of the findings.
 - To request an informal review of a draft report finding, the program provider must submit a completed DADS form 3610 “Informal Review Request” to DADS, as instructed on the form. The form is found at <http://www.dads.state.tx.us/forms/3610/>.
 - DADS must receive the completed form within seven calendar days after the date of the review exit conference.
 - If DADS receives a timely request for an informal review, DADS conducts an informal review and:
 - ▶ notifies the program provider, in writing, of the results of the informal review within 10 calendar days of receipt of the request; and
 - ▶ sends the program provider a final review report within 21 calendar days after the date of the review exit conference.
- If a program provider does not request an informal review as described above, DADS sends the program provider a final review report within 21 calendar days after the date of the review exit conference.

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In addition, effective March 1, 2014, DADS WS&C will not inform a program provider of a specific recommendation for action to be taken against the program provider. At a review exit conference, DADS will inform the program provider of all possible enforcement actions that DADS could take against the provider. Written notification of any enforcement action will be sent to the provider after a decision is made by DADS.

In the near future, DADS will propose to amend the HCS and TxHmL rules at 40 TAC Chapter 9, Subchapters D and N, to include the informal review process described in this letter.

If you have any questions, please contact the DADS Waiver Survey and Certification unit at WaiverSurvey.Certification@dads.state.tx.us.

Sincerely,

[signature on file]

Mary T. Henderson
Assistant Commissioner
Regulatory Services