



INTERIM COMMISSIONER  
James R. Hine

August 20, 2004

**BOARD MEMBERS**

Jerry Kane,  
Chairman, Corpus Christi  
Manson B. Johnson  
Vice Chairman, Houston  
Abigail Rios Barrera, M.D.  
San Antonio  
Jon M Bradley  
Dallas  
John A. Cuellar  
Dallas  
Terry Durkin Wilkinson  
Midland

To: CBA Home and Community Support Services (HCSS) Agencies  
CBA/CCAD Adult Foster Care (AFC) Providers  
CBA/CCAD Assisted Living Residential Care (AL/RC) Agencies  
CBA/CCAD Emergency Response Services (ERS) Agencies  
CBA/CCAD Home Delivered Meals (HDM) Agencies  
CBA/CCAD Respite Care Agencies  
Community Living Assistance and Support Services (CLASS) Agencies  
Consolidated Waiver Program (CWP) Providers  
Consumer Directed Services (CDS) Agencies  
Consumer Managed Personal Assistant Services (CMPAS) Agencies  
Day Activity and Health Services (DAHS) Agencies  
Deaf-Blind with Multiple Disabilities (DB-MD) Agencies  
Medically Dependent Children Program (MDCP) Providers  
Primary Home Care (PHC) Agencies  
Programs of All-Inclusive Care for the Elderly (PACE) Agencies  
Special Services to Persons with Disabilities (SSPD) Agencies

Subject: Long Term Care (LTC)  
Information Letter No. 04-37  
Informal Review Process

The purpose of this Information Letter is to provide provider agencies with the process for requesting an informal review as a result of a client hold.

**BACKGROUND:**

Per Chapter §49 Texas Administrative Code, client hold is no longer an adverse action which requires appeal rights. Therefore, the Texas Department of Human Services (DHS) is implementing an informal review process, which may be requested by a provider agency placed on client hold.

**INFORMAL REVIEW PROCESS**

When an informal review is requested by a provider agency regarding a client hold, the request will be reviewed by the informal review team. The informal review team will be composed of three (3) DHS staff members who have not been involved in the decision-making process. The purpose is to review the request and make a decision to uphold or overturn the client hold decision.

**The Provider Agency must:**

- submit a request for an informal review in writing;
- include the rationale for request;
- include supporting documentation;
- include a copy of the Notice of Client Hold; and
- ensure that the request is received within 15 calendar days of receipt of the Notice of Client Hold. Send the request to the: Enrollment Program Administrator, Community Care Contracting, Mail Code W-310 at 701 W. 51<sup>st</sup> Street, Austin, Texas 78751.

**Community Care Contracting Staff will:**

- send correspondence to provider agency stating the request has been received;
- send correspondence to the provider agency regarding the outcome of the informal review; and
- send correspondence to the provider agency regarding denial of informal review, when a request is received after the 15-day timeframe.

Please contact your contract manager if you have questions regarding this letter.

Sincerely,

**[signature on file]**

Bettye M. Mitchell  
Deputy Commissioner  
Long Term Care

BMM:dh