

MEMORANDUM

Department of Aging and Disability Services Regulatory Services Policy * Survey and Certification Clarification

TO: Regulatory Services
Regional Directors and State Office Managers

FROM: Veronda L. Durden
Assistant Commissioner
Regulatory Services

SUBJECT: S&CC 07-06 – Requirements for Children in Nursing Facilities (NFs)

APPLIES TO: Nursing Facilities

DATE: July 30, 2007

This memo is to outline applicable sections of 40 Texas Administrative Code (TAC) Chapter 19 that pertain to children in NFs. A nursing facility that admits children must meet not only all of the NF requirements in Chapter 19, but also the NF requirements in chapter 19 that pertain to children. The requirements that pertain to children must be met regardless of the length of the child's stay in the facility. Listed below are Chapter 19 requirements that pertain to children:

- §19.300(a) General Requirements
- §19.304(c)(2) Space and Equipment
- §19.419(d) Directives and Medical Powers of Attorney
- §19.601(b) Resident Behavior and Facility Practice
- §19.701 Quality of Life
- §19.702 Activities
- §19.801(12) Resident Assessment
- §19.802 Comprehensive Care Plans
- §19.805 Permanency Planning for a Resident Under 22 Years of Age
- §19.901(7)(B) and (14) Quality of Care
- §19.1002(e) Additional Nursing Services Staffing Requirements
- §19.1201(3) Physician Services
- §19.1205(d) Physician Delegation of Tasks
- §19.1401(b)(4) Dental Services
- §19.1508(c) Drug Administration
- §19.1922(a) Resident Care Policies
- §19.1923(a) Incident or Accident Reporting
- §19.1928(c) Volunteer Program
- §19.1929(4) Staff Development
- §19.1934 Educational Requirements for Persons Under Age 22

Please note for children admitted to NFs for enrollment into any of the DADS waiver programs, including the Medically Dependent Children Program, Community Living Assistance and Support Services, and Home and Community-based Services (effective 9/1/07), using the Money Follows the Person (MFP) initiative: NFs must follow normal procedures for submitting necessary documents to the Medicaid program to get paid for new admissions; this includes when a child is admitted to a NF using the MFP option.

For questions concerning this memorandum, please contact the Policy, Rules, and Curriculum Development Unit at (512) 438-3161.