



Long-Term Care Regulatory Provider Letter (PL)

Number: PL 18-19 (ALF, DAHS, HCSSA, ICF/IID, NF, PPECC) (Replaces PL 15-15 and PL 15-04)
Title: Emergency Preparedness Reminder
Provider Types: Assisted Living Facilities (ALF), Day Activity and Health Services Facilities (DAHS), Home and Community Support Services Agencies (HCSSA), Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions (ICF/IID), Nursing Facilities (NF), Prescribed Pediatric Extended Care Centers (PPECC)
Date Issued: September 7, 2018

1.0 Subject and Purpose

The Texas Health and Human Services Commission (HHSC) is issuing this letter as a replacement of PL 15-15 and PL 15-04. This letter reminds providers that they must comply with applicable rules designed to protect residents/individuals/clients receiving services during hurricanes and other emergencies. Hurricane season begins on June 1 and ends on November 30 each year.

2.0 Policy Details & Provider Responsibilities

A provider must:

- Ensure that its emergency preparedness plan is up-to-date and meets the needs of the individuals that the provider serves.
- Ensure that all personnel know what their responsibilities are during an emergency.
- Coordinate with its local emergency management coordinator in the event of an emergency.

A provider must not exceed its licensed capacity before receiving authorization to do so from the Director of Survey Operations in HHSC Long-term Care Regulatory Services.

The [EMResource](#) is a voluntary tool that each facility may use to post and update information on its evacuation status during an emergency (for ALFs, ICFs/IID, inpatient hospice units, and NFs).

The EMResource is a system that is used statewide for tracking available beds, hospital and Emergency Medical Services resources, and other emergency response data. It is available for use by long-term care (LTC) facilities. Users can access the EMResource from multiple sources such as computers, smartphones, iPads, or tablets.

HHSC encourages long-term care facilities to become familiar with the EMResource now so that they are able to enter their current number of vacancies at the time of the next hurricane or emergency event. To use the EMResource, providers must establish a user account coordinated by the Texas Hospital Preparedness Program (TX HPP). To create an account, providers must contact their closest TX HPP regional lead agency and be prepared to provide their facility name, address, phone number, and email address.

This letter includes a weblink to a map of the 22 statewide trauma service area regions. The map can help providers identify the TX HPP lead agency in their areas (<http://www.dshs.texas.gov/emstraumasystems/etrarac.shtm>).

3.0 Background/History

The following sections of the Texas Administrative Code, Title 40, contain requirements related to emergency preparedness for each provider type respectively:

- [§92.62\(d\)](#) for an ALF
- [§98.64](#) for a DAHS facility
- [§97.256](#) for a HCSSA and, in addition, [§97.871\(a\)\(2\)](#) for an inpatient hospice unit
- [§90.50](#) for an ICF/IID
- [§19.1914](#) for a NF
- [§15.209](#) for a PPECC

The following sections of the U.S. Code of Federal Regulations, Title 42, contain requirements related to emergency preparedness and response for a certified home health agency, hospice, ICF/IID, or NF:

- [§484.102](#)¹ for a home health agency
- [§418.113](#) for a hospice
- [§483.475](#) for an ICF/IID
- [§483.73](#) for a NF

¹ The effective date for this final rule, published in 82 *Federal Register* 4504, was delayed until January 13, 2018. See [82 Federal Register 31729](#). The final rule redesignated former 42 CFR §484.22 to §484.102.

[Appendix Z](#) of the U.S. Centers for Medicare & Medicaid Services State Operations Manual includes interpretive guidelines related to these federal emergency preparedness rules.²

4.0 Forms/Appendices

None.

5.0 Contact Information

If you have any questions about this letter, please contact the Policy, Rules, and Training Section at (512) 438-3161.

[signature on file]

Mary T. Henderson
Associate Commissioner
Long-term Care Regulatory

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² For home health agencies, Appendix Z references 42 CFR §484.22, which has been redesignated to 42 CFR §484.102. See footnote 1.