



Date: September 29, 2020

To: Nursing Facility Providers

Subject: Information Letter No. 20-41
Preadmission Screening and Resident Review (PASRR) Evaluations:
Use of Telephone Interviews or Videoconferencing

The Texas Health and Human Services Commission (HHSC) issued information letter (IL) No. 20-13 on April 9, 2020, to notify nursing facilities (NFs) of the waiver granted under the authority of Section 1135 of the Social Security Act, allowing Texas to suspend PASRR level I (PL1) screenings and PASRR evaluations (PEs). Please refer to [IL No. 20-13](#) for additional context.

On Sept. 17, 2020, HHSC adopted Title 26 Texas Administrative Code (TAC) §339.101(13) rules on an emergency basis. This new section allows local authorities to conduct PEs and resident reviews by telephone or videoconferencing, rather than face to face.

Admissions Under the 1135 Waiver

HHSC monitored NF admissions between April 9, 2020, and Sept. 30, 2020, with positive PL1s submitted as exempted hospital discharge (EHD) admissions and requiring a resident review. HHSC is notifying local authorities to begin conducting:

- Resident reviews and subsequent interdisciplinary team (IDT) meetings and service planning team (SPT) meetings.
- Resident reviews and subsequent IDT and SPT meetings for any positive PL1s entered by the NF before April 9, 2020, that do not have PEs or resident reviews associated with them.

HHSC will be monitoring for completion of these resident reviews. The resident reviews will begin Oct. 1, 2020 and be completed via telephone or videoconferencing interviews with the person or the person's legally authorized

representative (LAR) as well as through record reviews. HHSC may grant local authorities extensions to the seven-day time frame to complete these resident reviews.

Please be aware that after HHSC gives notice to the local authorities, local authorities will begin addressing the backlog of PEs and resident reviews that were held during the COVID-19 pandemic waiver period via telephone and videoconferencing interviews and record reviews. The local authorities must negotiate with the designated HHSC PASRR unit staff for extensions to complete the backlog. Extensions will be unique to each local authority's backlog, and HHSC will take into account admissions to NFs after Oct. 1, 2020.

Admissions Under the Emergency Rule

Also, effective Oct. 1, 2020, and for the duration of the public health emergency, HHSC will allow local authorities to complete the PEs and resident reviews via telephone or videoconferencing interviews with the person or the person's LAR and record reviews. Therefore, the NFs and local authorities must submit every new admission to a NF with a positive PL1 after this date into the Texas Medicaid and Healthcare Partnership (TMHP) Long-Term Care Online Portal (LTCOP) in accordance with the criteria outlined in [26 TAC Chapter 303, Subchapter B](#) and [40 TAC Chapter 19, Subchapter BB](#) for EHDs, expedited admissions or pre-admissions. HHSC will expect local authorities to complete the PE within seven calendar days after receiving the automatic alert.

When the person's PL1 is negative, the referring entity (RE) sends the PL1 with the person to the NF for submission into the LTCOP.

PL1 Screenings Beginning Oct. 1, 2020

NFs will continue to require the RE to complete a hard copy PL1 form for all new admissions, and then the NF must submit the form information into the LTCOP.

In accordance with 40 TAC Chapter 19, Subchapter BB, §19.2704(a)(2), the NF may provide assistance in completing the PL1 when the RE requests assistance and is a person seeking admission, a family member, LAR, another personal representative selected by the person or a representative from an emergency placement source.

Pre-admissions

When the person is considering admission to a NF from a location that requires the NF to follow the pre-admission process (somewhere other than an acute care hospital or another NF, such as a psychiatric hospital, group home, assisted living facility, etc.), the NF will request that the RE fax the hard copy of the positive PL1 directly to the local authority for submission into the LTCOP and completion of a PE within seven calendar days. If the person's PL1 is negative, the PL1 can go with the person to the NF. If the location of the RE is not allowing outside visitors, the PE can be completed via telephone or videoconferencing interviews with the person or the person's LAR and record reviews.

EHD Admissions

Submitting a positive PL1 under an EHD admission will delay the local authority from receiving an alert to complete the PE for 30 calendar days. If the person remains in the NF longer than 30 calendar days, the local authorities will receive an alert to complete the PE within seven calendar days by conducting interviews by telephone or videoconferencing and record reviews.

Hospice Recipients

NFs should continue to follow the process outlined in [IL No. 2019-03](#) issued Feb. 8, 2019, and updated June 23, 2020, for a person admitted to the NF who has elected hospice care. The local authority can complete the PE via telephone or videoconferencing interviews with the person or the person's LAR and record reviews.

Changes of Ownership (CHOWs)

The existing process for a NF CHOW will continue. After the NF obtains its new provider and contract number, the NF must submit new PL1s completed by the NF, as the RE, on the LTCOP. The NF must submit all PL1s that resulted in a positive PE under the NF's old contract number as positive PL1s under the NF's new contract number within 90 days of the CHOW effective date. The local authorities can complete the PEs via telephone or videoconferencing interviews with the person or the person's LAR and record reviews.

Resident Reviews

A resident review is a review of a resident's condition and placement after the person has been admitted to a NF. Usually, a resident review is completed for a person who experiences a significant change in their mental or physical condition. The purpose of the resident review is to ensure that:

- Persons who are PASRR positive are getting the appropriate specialized services and to determine if the NF is still the most appropriate place for the person.
- Persons who are PASRR negative and are now suspected of having Mental Illness, Intellectual Disabilities or Developmental Disabilities receive a determination of whether the person qualifies for PASRR specialized services.

The local authorities can complete resident reviews via telephone or videoconferencing interviews with the person or the person's LAR and record reviews.

Specialized Services

When a NF or local authority cannot initiate or continue PASRR specialized services due to the current COVID-19 public health emergency, both the NF and the local authority must document on the PASRR Comprehensive Service Plan (PCSP):

- Specialized services that will be delayed.
- Reasons why the services will be delayed.
- Expected timeline for initiating or resuming the specialized services.

NFs should provide assistance to residents with telephone calls from local authorities and provide access to facility medical records when possible, but NFs must continue to follow the requirements in [40 TAC §19.2802, Nursing Facility COVID-19 Response](#), effective Aug. 6, 2020, and [40 TAC §19.2803, Nursing Facility COVID-19 Response – Expansion of Reopening Visitation](#), effective Sept. 24, 2020.

Questions regarding the requirements with 40 TAC §§19.2802 and 19.2803 should be directed to the Policy, Rules and Training Section by email at policyrulestraining@hpsc.state.tx.us or by calling 512-438-3161.

Questions regarding the content of this letter can be submitted to pasrr.support@hpsc.state.tx.us

When contacting the PASRR inbox, please do not include resident-specific information in your email. Instead, use the document locator number for a form associated with the person in the LTCOP.

Sincerely,

[signature on file]

Haley Turner
Associate Commissioner
Intellectual and Developmental Disability Services
Medical and Social Services Division