

Long-Term Care Regulatory Provider Letter

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| Number: PL 20-01 (Replaces PL 14-07 and PL 16-13) |
| Title: How to File a Complaint Regarding a Surveyor and Report Survey Inconsistencies |
| Provider Types: Assisted Living Facility (ALF), Day Activity and Health Services (DAHS) Facility, Home and Community-based Services (HCS), Home and Community Support Services Agency (HCSSA), Intermediate Care Facility for Individuals with an Intellectual Disability or Related Conditions (ICF/IID), Nursing Facility (NF), Prescribed Pediatric Extended Care Center (PPECC), and Texas Home Living (TxHmL) |
| Date Issued: January 9, 2020 |

1.0 Subject and Purpose

The Texas Health and Human Services Commission (HHSC) is issuing this provider letter (PL) to remind facilities how to file a complaint regarding a surveyor, how to report survey inconsistencies related to the interpretation and application of regulations and rules and to provide updated contact information for Long-term Care Regulatory (LTCR) regional offices.

2.0 Policy Details & Provider Responsibilities

2.1 To file a complaint about a surveyor, you may:

- Call the Complaint and Incident Intake (CII) hotline at 1-800-458-9858;
- Complete a [comment card survey](#) online; or
- Call the regional director for the LTCR regional office for the region in which your facility or agency is located (note: a PPECC contacts the PPECC survey operations manager at (512) 908-9656):

| Region | Phone number |
|--------|------------------------------|
| 1 | 806-783-6532 |
| 2 | 325-795-5553 |
| 3 | 817-792-7223 or 817-792-7292 |
| 4 | 903-533-4458 |
| 5 | 512-908-3211 |
| 6 | 713-767-2290 or 713-767-2230 |
| 7 | 210-438-6301 or 361-878-7713 |

2.1.1 Anonymous complaints about surveyors

When filing a complaint, a complainant can provide a name and contact information, but is not required to do so. HHSC accepts anonymous complaints, however, it might be challenging to obtain sufficient information for a thorough investigation without contacting the complainant. In addition, HHSC cannot provide investigation findings to anonymous complainants.

2.2 To report a survey inconsistency:

The intent of the survey inconsistency tool is to identify inconsistencies in the determination of compliance with regulatory requirements.

Complete the [Consistency Feedback Tool](#) online.

2.2.1 Survey inconsistency feedback

Reports of survey inconsistencies are researched at the state office level and results are shared with the regions in aggregate form, without identifying information. The name of the facility, provider or agency, provider identification number or component code, survey date and tags or violations cited are required to initiate an investigation. The feedback tool must be complete for Survey Operations to collect the necessary information to research the concern.

State office staff will work with regional staff on substantiated inconsistencies to address surveyor training needs. The survey inconsistency tool cannot be used to appeal a deficiency or violation.

3.0 Background/History

This PL replaces PL 14-07, Complaints Regarding Surveyors (for ALF, DAHS, HCSSA, ICF/IID and NF) and PL 16-13, New Tool for Reporting Survey Inconsistencies (for ICF/IID and NF) and provides updated regional office contact information.

4.0 Resources

None

5.0 Contact Information

If you have any questions about this letter, please contact the Policy, Rules and Training Section by email at PolicyRulesTraining@hsc.state.tx.us or call (512) 438-3161.