



COMMISSIONER
Chris Traylor

March 29, 2012

To: Home and Community-based Services (HCS) Providers
Texas Home Living (TxHmL) Providers

Subject: Information Letter No. IL 12-27
Notification to DADS Regarding Department of Family and Protective Services (DFPS)
Investigation

DADS rule at Title 40, Texas Administrative Code (TAC) §9.178(n)(2) requires HCS providers to report to DADS, in accordance with DADS' instructions, the provider's response to the DFPS investigation that involves a staff member or service provider within 14 calendar days after the provider's receipt of the investigation report. A similar requirement for TxHmL providers is in DADS rule at 40 TAC §9.580(h)(1).

The purpose of this letter is to inform HCS and TxHmL providers that **effective May 1, 2012**, providers must notify DADS of their response to the DFPS investigation by faxing a completed Form 8494, Notification to the Department of Aging and Disability Services (DADS) Regarding Department of Family and Protective Services (DFPS) Investigation, to DADS Waiver Survey & Certification (WS&C) risk assessment coordinators at (512) 438-4148. The form is available at www.dads.state.tx.us/providers. The form must be faxed to the risk assessment coordinators within 14 calendar days after the provider's receipt of the report.

Further, HCS and TxHmL providers must provide any additional information requested by the risk assessment coordinators to assist the risk assessment coordinators in reviewing the DFPS report and provider response.

Failure by an HCS or TxHmL provider to comply with the requirements in this Information Letter may result in the provider being found out of compliance with DADS rules.

If you have any questions regarding the information in this letter, please contact the DADS Regulatory Services WS&C unit at (512) 438-4163 or at WaiverSurvey.Certification@dads.state.tx.us.

Sincerely,

[signature on file]

Carol Ahmed
Director, Survey Operations
Regulatory Services