



COMMISSIONER
Chris Traylor

January 6, 2012

To: Home and Community Support Services Agencies (HCSSAs) Contracted with the Department of Aging and Disability Services (DADS)

Subject: **Provider Letter 12-01/Information Letter 12-01** – Measures to Improve Efficiency in Contract Monitoring and Surveying

The purpose of this letter is to communicate the results of a streamlining project jointly conducted during fiscal year 2011 by DADS Access and Intake, Contract Oversight and Support, and Regulatory Services. The project objective was to identify opportunities for DADS to more efficiently conduct oversight responsibilities of licensed HCSSA contractors where it was possible to do so without weakening oversight of services to individuals or our fiscal accountability for state and federal funds.

We are pleased to report that DADS identified several opportunities to increase coordination or eliminate duplication and has changed policies and procedures accordingly. Those changes are as follows:

- Several items reviewed during Regulatory surveys will no longer be reviewed by contract managers, including:
 - verification that providers document, investigate and resolve complaints reported to the provider;
 - verification that individuals are informed of their rights and how to file complaints;
 - verification that providers are conducting criminal history checks on unlicensed attendants;
 - evidence of provider compliance in delivering seldom-used therapies;
 - evidence of supervisory visits; and
 - verification that interdisciplinary team meetings were convened in required timeframes.
- Provider billing compliance will be reviewed by contract managers rather than surveyors. DADS Regulatory Service surveyors will continue to review provider policy for compliance with Texas Administrative Code Title 40, Part 1, §97.254 relating to Billing and Insurance Claims.

The items that remain in the contract monitoring reviews are distinguishable from surveys in that they focus on compliance with program, waiver or contract requirements. Those Regulatory requirements generally relate to service eligibility and authorization, provision of authorized services, documentation to support billing, provider procurement practices and prohibitions using excluded persons as attendants.

With respect to DADS responses to complaints and to incidents self-reported by providers, the following changes have been implemented with the goal of reducing redundancy in our responses:

- Regulatory Services division staff will respond first to complaints assigned a response time of less than 45 days and contracts staff will respond first to complaints assigned a response time greater than 45 days. A follow-up by the other division will occur only when the information gathered by the initial responder suggests a need for the other division's involvement.
- Only Regulatory Services division staff will respond to incidents self-reported by providers, since secondary responses by contract managers rarely identify a need for additional actions beyond those recommended by Regulatory Services staff.

DADS remains committed to efficient and effective oversight processes and continues to be open to additional action to achieve this objective. If you have questions regarding the content of this letter, please contact a HCSSA policy specialist in the Policy, Rules and Curriculum Development unit at (512) 438-3161 or Janice Wallace, Manager for Contract Accountability and Oversight, at (512) 438-2188.

Sincerely,

[signature on file]

Veronda L. Durden
Assistant Commissioner
Regulatory Services

[signature on file]

Gary Jessee
Assistant Commissioner
Access and Intake

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