



COMMISSIONER
Jon Weizenbaum

Date: October 13, 2016

To: Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions (ICF/IID)

Subject: Provider Letter No. 16-37 — Change of Ownership, Provider Agreement Assignment, and Relocation

The Texas Department of Aging and Disability Services (DADS) is issuing this provider letter to remind intermediate care facilities for individuals with an intellectual disability or related conditions (ICF/IID), of requirements associated with change of ownership, assignment of a provider agreement, and relocation of an ICF/IID.

If a change of ownership of an ICF/IID is being considered, a program provider must notify DADS that:

- it is proposing to assign its provider agreement to the prospective owner of the ICF/IID, as required by [40 Texas Administrative Code \(TAC\) §9.217](#), Assignment of Provider Agreement.

In addition to the above requirement:

- an ICF/IID license holder must comply with [40 TAC §90.16](#), Change of Ownership;
- the prospective owner must submit the required information and complete the necessary inspections to enroll as an ICF/IID program provider and, if applicable, to receive an ICF/IID license; and
- if a relocation of an ICF/IID is being considered, a program provider must follow contract rules at [40 TAC §9.215](#), Relocation of Facility, and licensure rules, if applicable, at [40 TAC §90.22](#), Relocation.

The change of ownership and provider agreement assignment requirements and facility relocation requirements are different and DADS will process each action separately in accordance with the applicable rules.

If you have questions about this letter, please contact a License and Permit Specialist with the ICF/IID Licensure and Certification unit at (512) 438-3556.

Sincerely,

[signature on file]

Mary T. Henderson
Associate Commissioner
Regulatory Services

MTH:cg