April 26, 2019

To: Local Mental Health Authorities
    Local Behavioral Health Authorities

Subject: Broadcast Message No. 19.019
Clarification of Home and Community-Based Services-Adult
Mental Health Housing Options

The purpose of this broadcast message is to clarify that local mental and
behavioral health authorities may refer individuals to licensed and unlicensed
housing options. Within the Home and Community Based Services – Adult
Mental Health (HCBS-AMH) program, individuals are offered a choice of four
housing services provided by HCBS-AMH (which does not include room and
board):

- Supervised living services
- Assisted living services
- Host home/companion care
- Supported home living

Of these options, assisted living provided in an assisted living facility is the
only housing option requiring licensure in statute.

The State Plan HCBS-AMH benefit established under Chapter 25 Texas
Administrative Code, Sections 416.51-416.58 must be delivered to
individuals who reside in their own home, family home, or in a community
residential setting. All HCBS-AMH housing options must meet the 1915(i)
State Plan Amendment settings requirements and 42 Code of Federal
Regulations Section 441.710. Residential settings must be fully integrated
into the community and support full access by individuals receiving HCBS-
AMH services to the greater community.

In accordance with 25 TAC, Section 412.201 relating to discharge planning
from a state mental health facility, local authorities must provide, identify,
and recommend clinical and non-clinical services in the community, which
includes housing options. There are no TAC requirements that limit the
types of housing that may be offered to individuals being discharged from state mental health facilities unless otherwise directed by the judicial system.

Participants enrolled in the HCBS-AMH program have the freedom of choice to select any HCBS-AMH housing option, including licensed assisted living or other unlicensed housing types, unless court-ordered into a specified housing service or location.

If you have questions about this broadcast, please email HCBS-AMH.Services@hhsc.state.tx.us.

Providers may view this broadcast message at: https://hhs.texas.gov/doing-business-hhs/provider-portals/behavioral-health-services-providers/home-community-based-services-adult-mental-health

Sincerely,

[signature on file]

Trina K. Ita, MA, Associate Commissioner
Behavioral Health Services
Medical and Social Services Division
Health and Human Services Commission