



Health Facility Compliance Guidance Letter

Number: GL 20-2022
Title: Facility Visitor Screening & Access in Response to COVID-19
Provider Types: Private Psychiatric Hospitals and Crisis Stabilization Units
Date Issued: September 25, 2020

1.0 Subject and Purpose

The Health and Human Services Commission (HHSC) adopted an emergency rule in response to the state of disaster declared in Texas and the United States of America relating to COVID-19. Under the new emergency rule, effective September 25, 2020, currently licensed private psychiatric hospitals and crisis stabilization units (CSUs) are required to screen visitors and restrict access as necessary to limit the spread of COVID-19 in response to the COVID-19 pandemic.

2.0 Emergency Rule Details

Emergency rule §510.48, Visitor Screening and Access During the COVID-19 Pandemic, is adopted under Texas Administrative Code (TAC) Title 26, Part 1, Chapter 510, Subchapter C. Under this emergency rule, private psychiatric hospitals and CSUs must adopt, implement, and enforce written policies and procedures to screen each person entering the facility and restrict visitor access as the facility determines necessary to limit the spread of COVID-19.

2.1 Emergency Rule §510.48 Visitor Screening and Access During the COVID-19 Pandemic

Under emergency rule emergency rule §510.48, Visitor Screening and Access During the COVID-19 Pandemic, a private psychiatric hospital or CSU licensed under Health and Safety Code Chapter 577 shall limit visitors

allowed in the facility to the extent the facility determines such limitation is necessary to prevent or control a COVID-19-related health and safety risk.

Facilities shall adopt, implement, and enforce written policies and procedures to screen each person entering the hospital, using criteria based on state, local, and federal guidance, and prohibit entry of any person who does not meet the screening criteria.

A hospital may not prohibit government personnel performing their official duties from entering the hospital, unless person fails to meet the facility's screening criteria.

3.0 Background/History

HHSC originally adopted a previous emergency rule at §510.48, Emergency Rule for Facility Response to COVID-19 on April 3, 2020 and extended it on July 31, 2020. This emergency rule was repealed and replaced by the new emergency rule, Visitor Screening and Access During the COVID-19 Pandemic, on September 25, 2020.

In accordance with Texas Government Code §2001.034, HHSC adopted emergency rule §510.48, related to Visitor Screening and Access During the COVID-19 Pandemic in 26 TAC, Part 1, Chapter 510, Subchapter C, Operational Requirements on September 25, 2020, due to imminent peril to the public health, safety, or welfare. The emergency rule may not be effective for longer than 120 days and may not be renewed for longer than 60 days.

4.0 Resources

View the emergency rule in the Texas Register by searching Texas Register Docket Number (TRD ID): **202004011** at [https://texreg.sos.state.tx.us/public/regviewctx\\$.startup](https://texreg.sos.state.tx.us/public/regviewctx$.startup).

Governor Abbott's Disaster Declaration, provided at https://gov.texas.gov/uploads/files/press/DISASTER_covid19_disaster_proclamation_IMAGE_03-13-2020.pdf.

To receive future updates, sign up for GovDelivery: <https://service.govdelivery.com/accounts/TXHHSC/subscriber/new>.

5.0 Contact Information

If you have any questions about this letter, please contact the Policy, Rules, and Training unit by email at: HCR_PRT@hhs.texas.gov.