Boarding Home Facilities Report

As Required by
H.B. 216, 81st Legislature, Regular Session, 2009

Health and Human Services Commission

December 2018
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1. Introduction

House Bill 216, 81st Legislature, Regular Session, 2009, amended the Texas Health and Safety Code by adding Chapter 260 governing boarding home facilities effective September 1, 2011. Section 260.003 required the executive commissioner of the Health and Human Services Commission (HHSC) to develop and publish model standards for the operation of a boarding home facility and specifies that these standards must address elements such as construction, fire safety, sanitary conditions, reporting and investigation of injuries and incidents, staff education, and assessment of residents.

If a county or municipality chooses to adopt the standards developed by HHSC, then, as provided by Health and Safety Code Section 260.010(a), not later than September 30 of each year after the standards are adopted, the county or municipality must submit a report to HHSC including:

- the total number of boarding home facilities permitted during the preceding state fiscal year;
- the number of active permits;
- the total number of residents in each boarding home facility; and
- the total number of inspections conducted of boarding home facilities.

This report provides a summary of the information provided by the local entities that have adopted these models standards to date.
Health and Safety Code 260

HHSC is required under Health and Safety Code Section 260.010(b) to compile and maintain any reports submitted by a county or municipality and to report that information to the Legislature not later than January 1 of each odd-numbered year.

Following publication of the model standards, HHSC delegated to the Department of Aging and Disability Services (DADS)\(^1\) responsibility for:

- informing counties and municipalities about the model standards;
- making these standards readily available;
- alerting counties and municipalities that choose to adopt the model standards of the obligation to submit annual reports;
- creating a mechanism for submitting these reports;
- compiling any reports submitted by counties or municipalities; and
- submitting the compiled report through HHSC in a biennial report to the Legislature.

DADS/HHSC Activities

In January 2011, DADS created a webpage that included links to the statute, the model standards, required legislative reports, and the DADS mailbox address for questions regarding the Texas boarding home model standards. Upon dissolution of DADS as a stand-alone agency on September 1, 2017, the webpage and mailbox addresses were transferred to HHSC, which is also now responsible for the activities listed above.

To inform local governments about the model standards and reporting requirements, HHSC has conducted ongoing outreach to local governments through the Texas Municipal League, the Texas Association of Counties, the Conference of Urban Counties, and with individual municipalities and counties. As HHSC became

\(^1\) Effective September 1, 2016, the Texas Legislature transferred programs and services previously administered or delivered by DADS to HHSC.
aware of government entities adopting or considering the adoption of boarding home standards, HHSC contacted these entities to ensure compliance with the standards.

HHSC is aware of four governmental entities that have adopted the model standards as of September 30, 2018:

**City of Brenham**

In 2012, the City of Brenham passed an ordinance allowing the city to permit boarding home facilities located in the city, and the ordinance follows the model standards, including the requirement to report permitting activities to HHSC by September 30 of each year.

Please note the city of Brenham is reviewing and updating all of its ordinances; however, the city has not permitted or inspected boarding home facilities, aside from routine fire safety inspections conducted by the fire marshal.

As of September 30, 2018, all of the homes reported by the City of Brenham are Home and Community-based Services (HCS) waiver group homes that are regulated by HHSC. These HCS group homes are not boarding homes. However, the HCS group homes have adopted the model standards set in place by HHSC for boarding home facilities.

Brenham reported to HHSC the following information in accordance with the provisions of Section 260.010 of the Texas Health and Safety Code for the 2017-2018 Fiscal Year.

<table>
<thead>
<tr>
<th>City of Brenham HCS Group Homes</th>
<th>2017-2018 Residents</th>
<th>2016-2017 Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brenham Outreach Advisory Council, Inc.</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>D&amp;S Residential Services, LP</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Thomas and Lewin Associates, Inc.</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>12</strong></td>
<td><strong>12</strong></td>
</tr>
</tbody>
</table>
City of Dallas

The City of Dallas implemented an ordinance regulating boarding home facilities on October 1, 2012. The ordinance follows the model standards, including the requirement to report permitting activities to HHSC by September 30 of each year.

The city reported the following information in accordance with the provisions of Section 260.010 of the Texas Health and Safety Code for the 2017-2018 Fiscal Year.

Table 2. City of Dallas

<table>
<thead>
<tr>
<th>City of Dallas Boarding Homes</th>
<th>2017-2018 Number Reported</th>
<th>2016-2017 Number Reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of boarding home facilities permitted</td>
<td>66</td>
<td>65</td>
</tr>
<tr>
<td>Total number of active permits</td>
<td>66</td>
<td>33</td>
</tr>
<tr>
<td>Total number of residents in all boarding homes</td>
<td>1,051</td>
<td>989</td>
</tr>
<tr>
<td>Total number of inspections conducted of boarding home facilities</td>
<td>839</td>
<td>0</td>
</tr>
</tbody>
</table>

City of El Paso

El Paso adopted an ordinance regulating boarding home facilities on June 7, 2011; the ordinance was implemented on July 1, 2011. The ordinance follows the model standards, including the requirement to report permitting activity to HHSC by September 30 of each year.

On September 30, 2018, El Paso provided the following information on boarding home facilities in accordance with the provisions of Section 260.010 of the Texas Health and Safety Code for the 2017-2018 Fiscal Year.

Table 3. City of El Paso

<table>
<thead>
<tr>
<th>City of El Paso Boarding Homes</th>
<th>2017-2018 Number Reported</th>
<th>2016-2017 Number Reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of boarding home facilities permitted</td>
<td>6</td>
<td>3</td>
</tr>
</tbody>
</table>
City of San Antonio

The City of San Antonio implemented an ordinance regulating boarding home facilities on March 1, 2013. The ordinance follows the model standards, including the requirement to report permitting activities to HHSC by September 30 of each year.

On September 30, 2018, San Antonio provided the following information on boarding home facilities in accordance with the provisions of Section 260.010 of the Texas Health and Safety Code for the 2017-2018 Fiscal Year.

Table 4. City of San Antonio

<table>
<thead>
<tr>
<th>City of San Antonio Boarding Homes</th>
<th>2017-2018 Number Reported</th>
<th>2016-2017 Number Reported</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of boarding home facilities permitted</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>Total number of active permits</td>
<td>10</td>
<td>8</td>
</tr>
<tr>
<td>Total number of residents in all boarding homes</td>
<td>150</td>
<td>120</td>
</tr>
<tr>
<td>Total number of inspections conducted of boarding home facilities</td>
<td>61</td>
<td>55</td>
</tr>
</tbody>
</table>
As of the date of this report, four governmental entities have adopted the model standards and submitted documentation to HHSC by the required date of September 30, 2018. This report provides a summary of those standards for the 2017-2018 Fiscal year. In addition, the report includes information about the HHSC’ boarding home webpage and mailbox and its activities to inform local governments about the model standards included in Appendix A.
# List of Acronyms

Include a list of all acronyms that appear in the report. Add each new entry in its own row of this table. (Delete this instruction before publishing.)

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>DADS</td>
<td>Department of Aging and Disability Service</td>
</tr>
<tr>
<td>H.B.</td>
<td>House Bill</td>
</tr>
<tr>
<td>HCS</td>
<td>Home and Community-Based Services</td>
</tr>
<tr>
<td>HHSC</td>
<td>Health and Human Services Commission</td>
</tr>
</tbody>
</table>
Appendix A. Web Pages

Texas Boarding Home Model Standards
https://hhs.texas.gov/doing-business-hhs/provider-portals/resources/what-are-texas-boarding-home-model-standards

HHSC Boarding Home Mailbox
BoardingHome@hhsc.state.tx.us

Brenham’s City Ordinance
http://cityofbrenham.org/admin/ordinances.php

Dallas City Council Resolution and Ordinance
http://dallascityhall.com/departments/codecompliance/Pages/default.aspx

San Antonio City Ordinance
http://www.sanantonio.gov/Boarding-Homes-Ordinance