



Boarding Home Facilities Report

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

**Health and Human Services
Commission**

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TEXAS
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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 it 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 model standards to date.

2. Health and Safety Code per Legislative Mandate

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 now responsible for all 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, Texas Association of Counties, Conference of Urban Counties, and with individual municipalities and counties. As HHSC became 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, 2020:

¹ Effective September 1, 2016, the Texas Legislature transferred programs and services previously administered or delivered by DADS to HHSC.

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 thus far has not permitted or inspected boarding home facilities, aside from routine fire safety inspections conducted by the fire marshal.

As of September 30, 2020, all 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 2019-2020 Fiscal Year.

Table 1. City of Brenham

City of Brenham HCS Group Homes	2018-2019 Residents	2019-2020 Residents
Brenham Outreach Advisory Council, Inc.	3	3
D&S Residential Services, LP	3	0
Thomas and Lewin Associates, Inc.	6	0
Total	12	12

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 2019-2020 Fiscal Year:

Table 2. City of Dallas

City of Dallas Boarding Homes	2018-2019 Number Reported	2019-2020 Number Reported
Total number of boarding home facilities permitted	56	76
Total number of active permits	56	76
Total number of residents in all boarding homes	1,072	1,088
Total number of inspections conducted of boarding home facilities	887	745

City of El Paso

The City of 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, 2020, 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 2019-2020 Fiscal Year:

Table 3. City of El Paso

City of El Paso Boarding Homes	2018-2019 Number Reported	2019-2020 Number Reported
Total number of boarding home facilities permitted	1	2
Total number of active permits	1	6
Total number of residents in a boarding home	6	27
Total number of inspections conducted of boarding home facilities	5	13

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, 2020, 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 2019-2020 Fiscal Year:

Table 4. City of San Antonio

City of San Antonio Boarding Homes	2018-2019 Number Reported	2019-2020 Number Reported
Total number of boarding home facilities permitted	10	10
Total number of active permits	10	10
Total number of residents in all boarding homes	125	126
Total number of inspections conducted of boarding home facilities	20	23

3. Conclusion

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, 2020. This report provides a summary of those standards for the 2019-20 fiscal years. 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.)

Acronym	Full Name
DADS	Department of Aging and Disability Service
H.B.	House Bill
HCS	Home and Community-Based Services
HHSC	Health and Human Services Commission

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>