



COMMISSIONER
Chris Traylor

June 14, 2011

To: Providers of Title XIX and Title XX Home Delivered Meals
Subject: Information Letter No. 11-67 (replaces Information Letter 10-61)
Revised Process for Requesting a Waiver

The purpose of this letter is to inform providers of changes to the process for requesting a waiver of the program requirement to deliver a minimum of five hot meals per week.

Effective Federal Fiscal Year (FFY) 2012, a provider must complete Form 2027 for each service area for which the provider has a contract and is planning to implement or continue a waiver, and submit the completed form to the DADS contract manager with the FFY 2012 budget-based rate negotiation documents.

DADS will approve a waiver only if the provider proposes to:

- deliver meals to an individual at least one day per week;
- make contact with the individual at least three days per week, including the day of meal delivery; and
- make required assurances regarding:
 - continuity of services to an individual who cannot utilize a frozen or shelf-stable meal;
 - notification of significant change of condition of an individual, as required by rule;
 - safe handling of alternate meals (e.g., frozen, chilled or shelf-stable);
 - safe and sanitary storage, thawing and preparation capacity; and
 - compliance with rules regarding temperature control, marking of meals, and time in transit.

The contract manager will consider the impact of the waiver in reducing the provider's home delivered meal costs during upcoming budget negotiations. If approved, the waiver description for FFY 2012 will be incorporated into the provider contract with the budget amendment for the period. The contract manager will then review a provider's compliance with the provisions of the waiver as a component of DADS on-site monitoring of the provider's program

The provider may not implement provisions of the proposed waiver description without DADS approval or exceed the parameters of the approved waiver description. Changes in delivery frequency or meal format after execution of the amendment will require a new amendment.

The revised Form 2027, Home-Delivered Meals/FFY 2012 Waiver Description and detailed instructions for completing the form are available at: <http://www.dads.state.tx.us/forms/2027/>

Please contact your contract manager if you have any questions regarding these changes.

Sincerely,

[Signature on file]

Teresa Richard
Director, Center for Policy and Innovation

[Signature on file]

Bill Campbell
Section Manager, Community Services Contracts