



COMMISSIONER  
Chris Traylor

June 8, 2011

To: Community Living Assistance and Support Services (CLASS) Direct Services  
Agencies and Case Management Agencies  
Consumer Directed Service (CDS) Agencies

Subject: Information Letter No. 11-71 – Provision of Respite for Individuals Receiving  
Habilitation

The purpose of this information letter is to notify you of a change regarding the provision of respite in the CLASS Program.

Respite is defined in Texas Administrative Code, Title 40 (40 TAC), §45.103(62), as:

*“The temporary assistance with an individual's activities of daily living (ADLs) if the individual has the same residence as a person who routinely provides such assistance and support to the individual, and the person is temporarily unavailable to provide such assistance and support and is not a service provider of habilitation, support family services, or continued family services or an employee in the CDS option of habilitation.”*

Effective the date of this letter, DADS may authorize respite for an individual receiving CLASS Program services who has a service provider of habilitation or an employee in the CDS option of habilitation if:

- the service provider or employee routinely provides unpaid assistance and support with activities of daily living to the individual;
- the amount of respite does not exceed the amount of unpaid assistance and support routinely provided; and
- the service provider of respite does not have the same residence as the individual.

40 TAC §45.103(62) will be proposed for amendment in the future to reflect this change in policy.

If you have questions regarding this letter, please contact the Policy Development and Oversight hotline at (512) 438-3015.

Sincerely,

*[signature on file]*

Teresa Richard  
Director  
Center for Policy and Innovation

TR:cp