



COMMISSIONER  
Chris Traylor

February 21, 2012

To: Community Based Alternatives Providers  
Home and Community Support Services Agencies

Subject: Information Letter No. 12-16  
Nursing Facility Diversion Procedures for Individuals at Imminent Risk of Nursing  
Facility Placement

Effective March 1, 2012, the Department of Aging and Disability Services (DADS) will implement a new Promoting Independence initiative to divert individuals in a crisis situation from entry into a nursing facility (NF). DADS received funding for 100 Community Based Alternatives (CBA) NF diversion slots for the 2012-2013 biennium. The slots will be released throughout the year for a total of 50 slots per year for each of the next two years.

The purpose of these slots is to prevent institutionalization of individuals who are at imminent risk of entering a NF. The slots will be offered to certain individuals for whom a catastrophic event precipitates consideration of immediate placement in a NF. The following are examples of a catastrophic event:

- An individual is significantly dependent on a caregiver to remain in the community and the caregiver passes away or is suddenly no longer able to provide care.
- An individual has a community support system, but must suddenly move where there is no support system.
- Any situation where an individual has a sudden occurrence that would cause imminent placement in a NF because he cannot care for himself.
- An individual identified by the Department of Family and Protective Services, Adult Protective Services, as being at imminent risk of NF placement.

Due to the limited number of NF diversion slots, the slots will be allocated on a first come, first served basis.

Individuals who meet the criteria and are assigned a NF diversion slot are considered priority status; therefore, the DADS case manager will initiate an expedited referral to the Home and Community Support Service Agency (HCSSA) for the pre-enrollment assessment. The DADS case manager will negotiate an assessment completion date and explain the referral is for a NF diversion slot and the applicant is in a crisis situation. The negotiated date must be as early as possible. The DADS case manager will complete Section A of Form 3676 and write, "NF Diversion Crisis Slot" at the top of the form and fax it to the selected HCSSA.

As soon as the pre-enrollment assessment packet is received and all other eligibility requirements are met, including Medical Necessity and financial eligibility determination, the DADS case manager will negotiate a start of care date with the HCSSA to begin services as soon as possible.

Information Letter No. 12-16  
February 21, 2012  
Page 2

If the assessment cannot be completed in an expedited time frame, the DADS case manager will call the applicant's next choice of HCSSA or the next HCSSA on the rotation list.

Please refer to CBA Provider Manual section 4442; Verbal Referrals at <http://www.dads.state.tx.us/handbooks/cba/4000/4000.htm#sec4442>

For questions regarding the content of this letter, please contact the DADS, Policy Development and Oversight section at [CBA@dads.state.tx.us](mailto:CBA@dads.state.tx.us).

Sincerely,

*[signature on file]*

Teresa Richard  
Director  
Center for Policy and Innovation