



COMMISSIONER
Jon Weizenbaum

September 18, 2013

To: Home and Community-based Services Program Providers
Local Authorities

Subject: Information Letter No. 13-65
Level of Care Redetermination

The purpose of this letter is to inform Home and Community-based Services (HCS) program providers and local authorities (LAs) of a new process effective September 18, 2013, regarding level of care (LOC) redeterminations.

This process is being implemented to comply with direction from the Centers for Medicare and Medicaid Services (CMS) for Department of Aging and Disability Services (DADS) to improve oversight of HCS LOC redeterminations.

In accordance with the process approved by CMS, if the approved level of need (LON) for an individual receiving HCS Program services changes from a LON 5, LON 8, LON 6, or LON 9 to a LON 1, DADS will notify the LA of the change using the HCS Level of Care Redetermination Cover Sheet, Form 1597 found at <http://www.dads.state.tx.us/forms/1597/>.

Within 30 business days after receiving the notification the LA must:

- assess the individual in-person and complete a new Determination of Intellectual Disability (DID) in accordance with 40 Texas Administrative Code, Chapter 5, Subchapter D;
- submit to DADS a completed Form 1597, HCS LOC Redetermination Cover Sheet and attach a copy of the results of the new DID and any other pertinent information regarding the reassessment of the individual; or
- if the LA is unable to complete the requirements listed above within the 30 business day timeframe, notify DADS and provide the reason for the delay.

DADS will review the Form 1597, DID and supporting documentation submitted by the LA regarding the redetermination and notify the LA and the HCS program provider of the review decision via fax, on Form 1597, HCS LOC Redetermination Cover Sheet.

For questions regarding the content of this letter, please contact DADS at HCS@dads.state.tx.us.

Sincerely,

[Signature in file]

Lynn W. Blackmore
Director
Center for Policy and Innovation

[Signature in file]

Elisa J. Garza
Assistant Commissioner