



COMMISSIONER
Jon Weizenbaum

October 28, 2014

To: Title XX Home Delivered Meals Providers

Subject: Information Letter No. 14-69
Home Delivered Meals Requirements Regarding Nutritional Risk Assessments and Information Provided to Individuals

The purpose of this information letter is to clarify Title XX Home Delivered Meals (HDM) providers are not required to conduct a home visit to complete the Nutritional Risk Assessment. While a home visit prior to service initiation is not required, HDM providers must provide the individual information on complaint procedures and rights and responsibilities prior to service initiation. Once the HDM provider receives the service authorization from the Department of Aging and Disability Services (DADS), the Nutritional Risk Assessment of the individual may be completed through either a telephone or face-to-face interview with the individual or designee as requested by the individual.

Additional information on the Nutritional Risk Assessment may be found in HDM Provider Manual, in Section 2120, Nutritional Risk Assessment and National Aging Program Information Systems (NAPIS) Reporting, at:

<http://www.dads.state.tx.us/handbooks/hdmpm/2000/2000.htm#sec2120>.

In addition to the requirement to complete the Nutritional Risk Assessment, HDM providers must comply with rules and policy which include the following:

- nutritional education of the individual, as listed in the Title 40 of the Texas Administrative Code (TAC) [§55.11](#);
- consumer rights and responsibilities, as described in the Human Resources Code, Chapter 102 and in Section 6210 of the HDM Provider Manual;
- individual conduct requirements, as listed in 40 TAC [§55.33](#);
- procedures for filing complaints and the name and/or title and telephone number of the person to call to make a verbal complaint in Section 6200, Complaints, of the HDM Provider Manual and outlined in 40 TAC [§49.309](#)(c)(1-5) and (d)(e), Complaint Process; and
- abuse, neglect and exploitation allegations procedures in Section 6200, Complaints, of the HDM Provider Manual and 40 TAC [§49.310](#)(4)

Additional monitoring requirements related to consumer rights and responsibilities and the complaint process listed above are in Standard VI, Service Eligibility/Initiation, of the Contract and Fiscal Compliance Monitoring Tool for HDMs. Standard VI, indicates the individual must be informed orally and in writing of his rights and responsibilities using Form 3053, HDM Notification of Rights and Responsibilities and Complaint Procedure, or its equivalent. DADS contract staff review whether HDM providers sign and date Form 3053 or its equivalent indicating the individual was informed prior to service initiation or within 12 months of the previous notice.

701 W. 51st St. ★ P.O. Box 149030 Austin, Texas 78714-9030 ★ (512) 438-3011 ★ www.dads.state.tx.us

An Equal Opportunity Employer and Provider

Information Letter No 14-69
October 28, 2014
Page 2

Form 3053 or its equivalent must be signed by the individual receiving services and included in the individual's record maintained by the provider.

Monitoring requirements are listed in Standards VI, of the Contract and Fiscal Compliance Monitoring tool for HDM providers which can be accessed at <http://www.dads.state.tx.us/providers/contractcompliance/index.html>.

Questions regarding the Contract and Fiscal Compliance Monitoring Tool for HDM providers may be emailed to: shelly.swisher@dads.state.tx.us.

Questions regarding this information letter may be sent to: PDO@dads.state.tx.us.

Sincerely,

[signature on file]

Donna Jessee
Director
Center for Policy and Innovation

[signature on file]

Elisa J. Garza
Assistant Commissioner
Access and Intake