TEXAS
Department of Aging
and Disability Services

COMMISSIONER
Adelaide Horn

July 31, 2006

To: Nursing Facilities, Assisted Living Facilities, Adult Day Care Facilities, Home and Community Support Services Agencies, and Intermediate Care Facilities for Persons with Mental Retardation or Related Conditions

Subject: **Provider Letter #06-30** – Electronic Transmission of the Statement of Deficiencies or Statement of Violations with the Plan of Correction

This letter is to inform you of the availability of an electronic procedure for submission of certain documents following a visit from a surveyor and the finding of a deficiency or violation.

Question: Does sending the Statement of Deficiencies form (CMS-2567) or Statement of Violations form (DADS-3724) with the Plan of Correction (PoC) by electronic mail (e-mail) satisfy the State Operations Manual (SOM) requirement and state requirement to send/mail the completed PoC to the survey office?

Answer: Yes, and the same timeframes apply to electronic transmission as apply to regular mail or fax. However, providers should be sure to get confirmation that the documents (3724 and/or 2567) were received by requesting and printing out a copy of a "read receipt" or other return e-mail which clearly shows that the intended individual received the sender's e-mail.

Examples:

If using Microsoft Outlook, set up the outgoing e-mail, open the "Options" menu on the e-mail toolbar, and check the box next to the statement: "Request a read receipt for this message." Then select "Send." Print out the message that returns to the sender's inbox and file with the PoC.

If using a different brand of electronic mail software when submitting the PoC, request a return e-mail from the survey office as your confirmation that the document was received.

A provider can begin this process by contacting the local survey office by telephone, letter, e-mail, or fax to request that a copy of CMS-2567 or DADS-3724 be sent to the provider's e-mail address. **After sending the completed PoC by e-mail to the survey office, the provider must also submit to the survey office by regular mail or**

facsimile Page One of the PoC document with the provider or representative's handwritten signature.

If you need additional information or have specific questions, please contact your regional program manager.

Sincerely,

[signature on file]

Veronda L. Durden
Assistant Commissioner
Regulatory Services

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