

# MEMORANDUM

## Department of Aging and Disability Services Regulatory Services Policy \* Survey and Certification Clarification

**TO:** Regulatory Services  
Regional Directors and State Office Managers

**FROM:** Veronda L. Durden  
Assistant Commissioner  
Regulatory Services

**SUBJECT:** Dates that Precede a Change of Ownership (CHOW) Application –  
**S&CC 07-16**

**APPLIES TO:** Home and Community Support Services Agency (HCSSA) Program

**DATE:** August 28, 2007

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The purpose of this memorandum is to provide clarification on the procedures that the Department of Aging and Disability Services (DADS) will follow when a provider submits a CHOW application.

DADS will no longer approve a CHOW effective date that precedes the date that DADS physically receives a CHOW application. This includes applications that are submitted via mail, fax, electronic file, hand-delivery, or any other method of delivery. This change in procedure is being made to align the HCSSA program with the principles and requirements that are applied to all other provider types DADS regulates.

Beginning immediately, the effective date of a HCSSA CHOW should never precede the date someone in DADS (including Fiscal Division staff) physically possesses the application (complete or incomplete). This requirement does not change or negate the requirement that a CHOW applicant must request an application at least 60 days prior to the CHOW effective date, nor does it change the requirement that an application submitted fewer than 30 days prior to the CHOW date is subject to a late fee. The purpose is to prohibit issuance of a license with an effective date that precedes receipt of the application.

For questions concerning this memorandum, please contact a HCSSA policy specialist in the Policy, Rules, and Curriculum Development Unit at (512) 438-3161.