



COMMISSIONER  
Adelaide Horn

August 10, 2009

To: Home and Community-based Services (HCS) Providers,  
Texas Home Living (TxHmL) Providers and  
Mental Retardation Authorities (MRAs)

Subject: Information Letter No. 09-103  
Change in Required Documentation for an Individual's Guardian Designation in the  
Client Assignment and Registration (CARE) System

The purpose of this letter is to notify you of a change in the documentation of the guardian designation for an HCS or TxHmL applicant or participant. These changes will affect the following CARE screens:

- L01 - CONSUMER ENROLLMENT: ADD/CHANGE/DELETE,
- C61 - CONSUMER DEMOGRAPHICS: INQUIRY and
- C20/L20 - GUARDIAN INFORMATION UPDATE.

Effective August 15, 2009, the staff completing the data entry of CARE screens L01, L20 (MRA for HCS and TxHmL) and C20 (program provider for HCS and MRA for TxHmL) will be required to designate a "guardian" for the waiver participant. The options to choose from will be:

- Option 1 - parent of minor,
- Option 2 - CPS conservatorship,
- Option 3 - Guardian of person, or
- Option 4 – Self.

If either option 1, 2, or 3 is indicated, the staff completing the data entry will be required to complete the fields indicating the "name" of the guardian, their "address", "city", "state", "ZIP" and "phone" number. In the "C/O" field, the staff should designate the agency name if the individual has a CPS conservatorship or if the guardian of the person happens to be an agency.

In selecting an option, the provider or MRA staff should follow these general guidelines:

**Option 1** – parent of minor can be designated until the individual reaches the age of 18. After the individual reaches the age of 18, the program staff must change the individual's status to Option 4, "Self", unless court proceedings are conducted and designate a guardian of person.

**Option 2** – CPS conservatorship can be designated for the individual under CPS conservatorship until the individual reaches the age 18. CPS conservatorship is ended once the individual reaches the age of 18.

**Option 3 – Guardian of person** can be designated for an individual regardless of the individual's age if the person designated as the guardian has gone through court proceedings to be designated as the guardian of person.

**Option 4 – Self** is designated when the individual has not been adjudicated incompetent and no court proceedings have designated a guardian of person for the individual.

The program staff with either the MRA or provider staff, as is applicable, must update the guardian information in CARE screens L20 or C20, respectively when the individual's status changes in order to maintain current guardian information in the CARE system.

If you have any questions about this letter or need additional information, please contact Geneve Monreal, Access and Intake, Manager for Program Enrollment/Utilization Review, MRA Section at (512) 438-5003 or [geneve.monreal@dads.state.tx.us](mailto:geneve.monreal@dads.state.tx.us).

Sincerely,

*[signature on file]*

David Rollins  
Director  
Mental Retardation Authorities

*[signature on file]*

Tommy Ford  
Interim Director  
Community Services

DR:gm

c: Susanne Elrod, Texas Council of Community Mental Health Mental Retardation Centers  
Carole Smith, Private Provider Association of Texas