



TEXAS ~ NEW MEXICO

HOSPICE & PALLIATIVE CARE ORGANIZATION

FAQ Update: Vaccine Preventable Diseases and the Hospice Provider

*November 15,
2024*

Disclaimer: *The answers provided in this document are the result of the Texas and New Mexico Hospice Organization's research and analysis. If you have specific questions on rules and interpretation, contact the Texas Health and Human Services Commission (HHSC) Regional or State Offices.*

Question: I do business with several different types of long-term care (LTC) providers, such as nursing facility (NF), Intermediate Care Facility for Persons with Intellectual Disabilities and Related Conditions (ICF-IID), assisted living (ALF), etc. Do I have to comply with their infection control/vaccine preventable disease policies?

Answer: Yes. As a business and a provider of hospice services you enter into an agreement with some of these provider types, such as NF or ICFIID. You have an agreement with the individual residents of the ALF, but the provider is allowing you on the property to provide a service to the residents.

It should be noted that you may enter other provider types such as the Home and Community Based Services (HCS), Prescribed Pediatric Extended Care Center (PPEC) or Day Activity Health Services (DAHS). Always check with these providers as well to ensure the safety of all staff and consumers.

Question: Do these LTC providers have rules in place that require them to have policy?

Answer: Yes. LTC providers have rules that require them to have a policy on infectious diseases. As an outside resource you must work cooperatively with the provider to ensure that you follow their policy. To be able to care for your patients while they are a resident in the LTC facility, we must abide by their rules as well.

Question: How should the hospice provider handle the LTC provider's policy requirements?

Answer: The hospice should contact their LTC providers they have agreements with to determine what the LTC provider's policy is and share this with the hospice staff providing services to the residents. It is recommended to set up a meeting when you sign the agreement, or when a change in leadership occurs, either with the hospice or the LTC, to ensure you understand each other's policies and requirements.

Question: What could the LTC provider request as proof of a vaccine?

Answer: The LTC provider may require that the hospice show proof of a vaccine, or they could require that hospice staff obtain the test or vaccine, then provide proof of the results to the LTC provider. Each provider will be different.

Question: What should the hospice do if their staff do not believe in or obtain vaccines?

Answer: If you have a staff person who does not believe in vaccines for whatever reason, discuss this with the LTC provider. If the LTC provider policy does not address this situation, you may have to assign another staff person to provide the care.

Question: In the event my staff gets a reportable disease, what protocol should the hospice take?

Answer: The hospice is responsible for notifying the health department and all providers they have agreements with.

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Texas laws (Health and Safety Code, Chapters 81, 84, and 87) require reporting of notifiable conditions to the Texas Department of State Health Services (DSHS). Healthcare providers, hospitals, labs, schools, and others must report suspected cases.

Resources:

- Department of State Health Services Disease Surveillance and Epidemiology Section
- Department of State Health Services Notifiable Conditions:
<https://www.dshs.texas.gov/notifiable-conditions>
- Department of State Health Services Public Health Regions:
<https://www.dshs.state.tx.us/immunizations/contact/regions>
- Health and Human Services Commission Infection Prevention and Control:
<https://www.hhs.texas.gov/providers/long-term-care-providers/nursing-facilities-nf/quality-monitoring-program-qmp/evidence-based-best-practices/infection-prevention-control>.
- Texas Health and Safety Code Subchapter D Prevention, Control, and Reports of Diseases; Public Health Disasters and Diseases:
<https://statutes.capitol.texas.gov/?link=hs>
- Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Condition 26 TAC 551.329 Vaccine Preventable Diseases:
[https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=26&pt=1&ch=551&sch=L&rl=Y](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=26&pt=1&ch=551&sch=L&rl=Y).
- Nursing Facility Requirements for Licensure and Medicaid Certification 26 TAC Chapter 554.1601 Infection Control:
[https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=26&pt=1&ch=554](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=26&pt=1&ch=554)
- Licensing Standards for Home and Community Support Services Agencies 26 TAC 558.285 Infection Control:
[https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=26&pt=1&ch=558&sch=C&div=4&rl=Y](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=26&pt=1&ch=558&sch=C&div=4&rl=Y)

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