SAMPLE POLICY

Sample policy from the CareRulebook Texas manual. Fictional agency. Rule-verified on September 30, 2026.

This is Policy 6.1 of the 35 in the manual, exactly as it prints in a buyer's copy, but filled in with example answers for a fictional agency, Sample Home Care, LLC. Rule-verified means each quote under Rule basis was checked word for word against the official text we saved on that date. It is not legal advice.

Your copy is filled in with your own agency's details and choices: https://www.carerulebook.com/us/texas/home-care/manual

POLICY 6.1

Reporting abuse, neglect and exploitation

26 TAC §558.249 · 26 TAC §558.250 · 26 TAC §558.282(f)(6) · 26 TAC §558.301(a)(9)(K) · Tex. Health & Safety Code §142.018

Purpose

To make sure Sample Home Care, LLC reports every suspected act of abuse, neglect or exploitation of a client by anyone working for the agency to HHSC on time, and starts its own investigation straight away.

Scope

This policy applies to everyone who works for or on behalf of the agency: officers, employees, contractors, volunteers and agents such as students. The rule calls all of them "employees", and this policy does too.

It covers suspected abuse, neglect or exploitation of any client of the agency, adult or child, where the person suspected is an agency employee, including a former employee if the incident happened while they worked for the agency.

Policy

1. Every client has the right to be free from abuse, neglect and exploitation by an agency employee, volunteer or contractor.
2. **Abuse, neglect and exploitation** have the meanings given in 40 TAC Chapter 705, Subchapter A (for adults) and 26 TAC Chapter 711, Subchapter A (for children, and for adults receiving services from the providers described in Texas Human Resources Code §48.251), as §558.249(a)(1) sets out.
3. The agency has **cause to believe** when it knows, suspects or receives an allegation that a client has been abused, neglected or exploited. An allegation is enough. The agency does not wait for proof.

4. If the agency has cause to believe that a client has been abused, neglected or exploited by an agency employee, the agency must report it **immediately, meaning within 24 hours**.
5. The agency reports to **HHSC Complaint and Incident Intake (CII)**. HHSC has said that since September 1, 2023 all allegations of abuse, neglect or exploitation committed by a home and community support services agency go to HHSC through CII, and that agencies no longer report these allegations to the Department of Family and Protective Services (DFPS), because DFPS no longer investigates them. The rule text in §558.249(c) still names DFPS. This policy follows HHSC's current instruction.
6. The agency reports to HHSC CII in one of these ways:
   - online through TULIP, the HHSC online portal, at https://tulip.hhs.texas.gov/TULIP/s/ (this needs the client's Social Security number);
   - by email to ciicomplaints@hhs.texas.gov, using the HHSC CII Self-Report Email Template; or
   - by phone to (800) 458-9858, speaking to an agent (Monday through Friday, 7 a.m. to 7 p.m.). If the client's Social Security number is not available, the agency reports by email or phone. Outside the phone line's hours, the agency reports through TULIP or by email so the 24-hour deadline is still met.
7. Money matters count. HHSC has said that any instance where a client lends an attendant money, or a loan is taken out for the client, must be reported as exploitation.
8. Suspected abuse, neglect or exploitation by a family member or someone else who is not providing care to the client through a licensed agency, and suspected self-neglect by the client, do not go to HHSC CII. HHSC has said these fall under DFPS, so the agency reports them to DFPS at 1-800-252-5400 or www.txabusehotline.org.
9. If the person suspected works for another licensed provider, the agency's report to HHSC is a complaint, not a self-report, and no Provider Investigation Report is needed.
10. Immediately on witnessing the act or receiving the allegation, the agency must start an investigation. The agency must send HHSC the completed HHSC Provider Investigation Report (Form 3613) no later than the 10th day after the report, and must complete the investigation and documentation within 30 days after receiving the report unless it has and documents reasonable cause for a delay. Policy 2.2 sets out how investigations are run.
11. The agency may not retaliate against a person for filing a complaint, presenting a grievance, or giving information in good faith about the agency's services. This does not stop the agency from ending an employee's employment for a reason other than retaliation.
12. At admission, each client receives a copy of this policy, and the client record holds the client's acknowledgment that they received it.

Procedure

1. **Any employee** who sees, suspects or is told about possible abuse, neglect or exploitation of a client by an agency employee:
    1. tells the administrator, or the alternate administrator if the administrator cannot be reached, right away, using (512) 555-0100 or (512) 555-0199, so the agency can report within 24 hours; and
    2. tells the administrator what they saw or were told, and when.
2. **The administrator** (or the alternate administrator):
    1. records the date and time the agency first had cause to believe, because the 24 hours run from then, and what the employee saw or was told;
    2. reports to HHSC CII by TULIP, email or phone as set out in Policy item 6, within 24 hours;
    3. records the date and time of the report, the method used, the name of the person who made it and the intake number CII gives;
    4. starts the agency's investigation immediately and follows Policy 2.2; and
    5. sends the completed Provider Investigation Report (Form 3613) to the HHSC Complaint Intake Unit no later than the 10th day after the report to CII.
3. If the agency receives a report of abuse, neglect or exploitation from DFPS about one of its employees, the administrator reports it to CII online through TULIP or by email within 24 hours.
4. For suspected abuse, neglect or exploitation by someone who is not caring for the client through a licensed agency, or suspected self-neglect, the administrator reports to DFPS using the contact details in Policy item 8.
5. At admission, the person admitting the client gives the client (or the client's legal representative) a copy of this policy and has the client sign an acknowledgment of receipt, which goes in the client record.
6. If staff other than the administrator will report through TULIP, the administrator registers them in TULIP. Staff cannot register themselves.

Responsibilities

- **All employees, contractors and volunteers:** report concerns to the administrator right away and cooperate with the investigation.
- **Administrator:** makes the report to HHSC CII within 24 hours, starts and oversees the investigation, sends the Provider Investigation Report on time, and registers in TULIP any other staff who will report online.
- **Alternate administrator:** does all of the administrator's tasks under this policy when the administrator is absent or is the person suspected.
- **Person admitting a client:** gives the client this policy and files the signed acknowledgment.

Records

- A log of each report to HHSC CII: the date and time the agency had cause to believe, the date and time of the report, the method, who reported and the CII intake number.
- A copy of each Provider Investigation Report (Form 3613) and proof of when it was sent.
- The investigation file for each allegation (see Policy 2.2).
- The client's signed acknowledgment of receipt of this policy, in the client record.

Recommended practice

- If the client is in danger or needs urgent medical care, the employee calls 911 first, then tells the administrator.
- Ask the employee to write down what they saw or were told, in their own words, with the date and time.
- Register a second staff member in TULIP so a report can be made online when the administrator is not available.
- Protect the client while the investigation runs, for example by assigning a different attendant or taking the employee off client contact.
- Report as soon as you can rather than waiting until near the end of the 24 hours. Do not wait to gather facts or proof first. HHSC has proposed a much shorter deadline (see Proposed changes).
- Give clients the ways they can report to HHSC directly, without going through the agency: online through the HHSC complaint and incident intake web page, by email to ciicomplaints@hhs.texas.gov, by phone at (800) 458-9858 (press 1), or by mail to Texas Health and Human Services, Complaint and Incident Intake, Mail Code E249, P.O. Box 149030, Austin, TX 78714-9030.
- Train every employee on this policy during orientation and once a year.

Rule basis

> An agency must adopt and enforce a written policy relating to the agency's procedures for reporting alleged acts of abuse, neglect, and exploitation of a client by an employee of the agency.
> `26 TAC §558.249(b)`

> Cause to believe--An agency knows, suspects, or receives an allegation regarding abuse, neglect, or exploitation.
> `26 TAC §558.249(a)(4)`

> Employee--An officer, an individual directly employed by an agency or a contractor, volunteer, or agent working under the auspices of an agency.
> `26 TAC §558.249(a)(6)`

> If an agency has cause to believe that a client served by the agency has been abused, neglected, or exploited by an agency employee, the agency must report the information immediately, meaning within 24 hours, to: (1) the Department of Family and Protective Services (DFPS) at 1-800-252-5400, or through the DFPS secure website at www.txabusehotline.org; and (2) HHSC at 1-800-458-9858.
>
> `26 TAC §558.249(c)`

> Effective September 1, 2023, all allegations of ANE committed by a HCSSA are to be reported to HHSC via CII. You will no longer be required to make a report to DFPS because DFPS will no longer investigate allegations of ANE involving HCSSA providers.
>
> `HHSC, HCSSA Frequently Asked Questions (July 2026), p. 24`

> As required by 26 TAC §558.249 (c), if an agency or a person believes that a client, serviced by the agency, has been abused, neglected, or exploited by an agency employee, the agency must report the information immediately, which means within 24 hours. This reporting requirement has not changed.
>
> `HHSC, HCSSA Frequently Asked Questions (July 2026), p. 25`

> Separate from CIMS, HCSSAs are required to report allegations of abuse, neglect, and exploitation via TULIP, by email to ciicomplaints@hhs.texas.gov and submitting the HHSC CII Self-Report Email Template, or by calling and speaking to an agent at (800) 458-9858 (Monday through Friday, 7 a.m. – 7 p.m.).
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> `HHSC, HCSSA Frequently Asked Questions (July 2026), p. 14`

> Submit online at https://txhhs.force.com/TULIP/s/
>
> `HHSC, HCSSA Frequently Asked Questions (July 2026), p. 24`

> If the client does not have a social security number, the HCSSA will have to report via one of the other two methods: ... Email CII at ciicomplaints@hhs.Texas.gov, or ... Call by phone to 800-458-9858.
>
> `HHSC, HCSSA Frequently Asked Questions (July 2026), p. 24`

> Yes. Complaint Incident and Intake (CII) will still provide an intake number.
>
> `HHSC, HCSSA Frequently Asked Questions (July 2026), p. 23`

> Yes. Any instances where the client lends the attendant money, takes out a loan for the client, etc., need to be reported as exploitation.
>
> `HHSC, HCSSA Frequently Asked Questions (July 2026), p. 24`

> If a HCSSA provider is suspicious of ANE being perpetrated by a family member or someone who has an ongoing relationship with the client who is not providing care for them under a HCSSA in any capacity, that would fall under the jurisdiction of DFPS. Another example would be self-neglect by the client.
> HHSC, HCSSA Frequently Asked Questions (July 2026), p. 23

> All incidents of self-neglect should be reported to DFPS if there is no HCSSA involvement.
> HHSC, HCSSA Frequently Asked Questions (July 2026), p. 24

> Yes. Even if the employee no longer works for the HCSSA, this still needs to be reported as it involved a client and a HCSSA employee when the alleged ANE occurred.
> HHSC, HCSSA Frequently Asked Questions (July 2026), p. 26

> If my agency receives a report of ANE from DFPS, who do I report this to? Answer: This will be reported to CII online via TULIP or via email within 24 hours.
> HHSC, HCSSA Frequently Asked Questions (July 2026), p. 24

> A self-report is filed only when HCSSA's own staff are the alleged perpetrators of an incident involving abuse, neglect, and exploitation (or other reportable event).
> HHSC, HCSSA Frequently Asked Questions (July 2026), p. 27

> If the alleged perpetrator of abuse, neglect, or exploitation is employed by another licensed entity and the HCSSA reports it to HHSC, it is called a "complaint" and does not require the HCSSA to fill out form 3613.
> HHSC, HCSSA Frequently Asked Questions (July 2026), p. 27

> An administrator must register staff who have these permissions.
> HHSC, HCSSA Frequently Asked Questions (July 2026), p. 27

> Immediately upon witnessing the act or upon receipt of the allegation, an agency must initiate an investigation of known and alleged acts of ANE by agency employees, including volunteers and contractors.
> 26 TAC §558.250(b)(1)

> An agency must send the completed HHSC Provider Investigation Report form to HHSC Complaint Intake Unit no later than the 10th day after reporting the act to the Department of Family and Protective Services and HHSC.
> 26 TAC §558.250(b)(3)

> Yes. Form 3613 will still be required. The timeframe for submitting the form has not changed. Form 3613 will have to be submitted no later than the 10th day after reporting the allegations as per 26 TAC §558.250 (b)(3).
>
> HHSC, HCSSA Frequently Asked Questions (July 2026), p. 23

> An agency must complete the investigation and documentation within 30 days after the agency receives a complaint or report of abuse, neglect, and exploitation, unless the agency has and documents reasonable cause for a delay.
>
> 26 TAC §558.250(d)

> An agency may not retaliate against a person for filing a complaint, presenting a grievance, or providing, in good faith, information relating to home health, hospice, or personal assistance services provided by the agency.
>
> 26 TAC §558.250(e)(1)

> An agency is not prohibited from terminating an employee for a reason other than retaliation.
>
> 26 TAC §558.250(e)(2)

> A client has the right to be free from abuse, neglect, and exploitation by an agency employee, volunteer, or contractor.
>
> 26 TAC §558.282(f)(6)

> acknowledgment of the client's receipt of the agency's policy relating to the reporting of abuse, neglect, or exploitation of a client;
>
> 26 TAC §558.301(a)(9)(K)

> A home and community support services agency that has cause to believe that a person receiving services from the agency has been abused, exploited, or neglected by an employee of the agency shall report the information to the commission.
>
> Tex. Health & Safety Code §142.018(b)

Proposed changes

HHSC's proposed rewrite of Chapter 558 (rule project 22R045, published September 18, 2026) would change this policy in two ways:

- **§558.249(c):** the agency would have to report to HHSC CII, through the online portal, by calling 1-800-458-9858 or by email, immediately but not later than **one hour** after suspecting or learning of the incident, instead of within 24 hours. DFPS would be removed from the rule. The report would have to include the client's name, age and address; the legal representative's name and address, if available; the nature and extent

of the client's condition; the basis of the reporter's knowledge; and any other relevant information. The written policy would also have to cover preventing and detecting abuse, neglect and exploitation, not only reporting it.

- **New §558.251:** every employee, contractor and volunteer would have to be trained on reporting, the signs and symptoms, prevention, and helping a client make a report, and sign two acknowledgments (that clients have the right to be free of abuse, neglect and exploitation, and of possible criminal liability under Texas Human Resources Code §48.052 for failing to report), before starting work and at least once a year. Clients and legal representatives would have to be told how to report to HHSC CII and educated about protection from abuse, neglect and exploitation at the start of services and at least once a year.

The same proposal would also change §558.250: the Provider Investigation Report would have to include more information (for example the agency's name and address, the alleged victim's diagnosis and cognitive status, and copies of the most recent SEMARC, MAR if applicable, and NAR checks), and would be submitted through the online portal or by email. Policy 2.2 would be updated with it.

Until the proposal is adopted, the 24-hour deadline in this policy is the rule. This policy will be updated if the proposal is adopted.

Adopted November 1, 2026 · Next review November 1, 2027