



TEXAS HEALTH AND HUMAN SERVICES COMMISSION

ALBERT HAWKINS
EXECUTIVE COMMISSIONER

January 7, 2009

**IDR Procedures for Providers
Nursing Facilities, ICFs-MR, Assisted Living Facilities**

The provider will:

- ◆ Receive an opportunity for informal dispute resolution (IDR) of the disputed deficiency/violation where applicable (Intermediate Care Facilities for persons with Mental Retardation (ICFs-MR) are entitled to an IDR *only if* the deficiencies/violations cited in a survey report do not pose a serious and imminent threat to the health and safety of a resident);
- ◆ Receive a copy of all information sent to Health and Human Services Commission (HHSC) by the Department of Aging and Disability Services (DADS); and
- ◆ Be informed of the results of the IDR and rationale for the decision.

The IDR process is not intended to resolve complaints regarding alleged surveyor misconduct, survey protocol, or federal or state standards, or to provide an opportunity to clear previously corrected deficiencies or violations. The IDR is not a formal appeals process. Some issues are not appropriate for consideration in the IDR process, but may be appropriate for consideration in a formal appeals process.

It is the provider's responsibility to present sufficient information to the IDR reviewer to support the desired IDR outcome. The facility is responsible for sending this information directly to HHSC.

If an explanation of the statement of deficiencies/violations is required, contact the DADS Regional Program Manager prior to submitting a request for an IDR

IDR Outcomes

The following are possible outcomes of the IDR process:

- ◆ A determination that there is insufficient evidence to sustain a deficiency/violation;
- ◆ A determination that there is insufficient evidence to sustain a portion or a finding of a deficiency/violation;
- ◆ A determination that there is sufficient evidence to sustain a deficiency/violation; and/or
- ◆ A determination that there is insufficient evidence to sustain the deficiency/violation as cited, but there is sufficient evidence to sustain the deficiency/violation at a different citation; and/or
- ◆ For Nursing Facilities with Immediate Jeopardy or Substandard Quality of Care deficiencies/violations only: a determination that there is insufficient evidence to sustain the scope and severity at the Immediate Jeopardy or Substandard Quality of Care level, but that there is sufficient evidence to sustain the deficiency/violation at a reduced (or lower) scope and severity.

- ◆ A determination that there is sufficient evidence to sustain the deficiency/violation and there was sufficient evidence to sustain the scope and severity at the Immediate Jeopardy or Substandard Quality of Care level.

IDR Process

IDR Request Form and Registration

HHSC *and* the DADS regional office must receive the IDR request form within **10 calendar days** of the provider receiving the statement of deficiencies/violations. DADS must deliver the statement of deficiencies/violations by means allowing confirmation of the provider's receipt, e.g., certified mail with return receipt. If the 10th calendar day falls on a Saturday, Sunday, or legal holiday¹, the request is due the following business day. Only those deficiencies/violations listed on the IDR request form and addressed in the rebuttal letter/supporting documentation will be reviewed.

- ◆ The provider *must* submit with the IDR request form the fax confirmation showing that the DADS regional office received a copy of the IDR request form. HHSC will not consider the IDR request form "received" by HHSC until the fax confirmation *and* the signed/dated IDR request form are received from the provider.
- ◆ IDRs will not be granted when IDR request forms are incomplete or inaccurate. (Please note that the date the statement of deficiencies was received from DADS is not the same as the survey exit date.)
- ◆ A fax cover sheet should be used with all faxed information to identify the facility, exit date, and appropriate contact information.
- ◆ If an attorney is listed on the IDR request form, the acknowledgement letter, DADS information, and the final letter and decision and rationale are mailed to the attorney **ONLY**.
- ◆ The attorney should not be listed on the IDR request form unless the attorney is submitting the IDR packet.

NOTE: The provider has up to 10 days from the receipt of the statement of deficiencies/violations from DADS to submit the IDR request form. To maximize the amount of time in which the provider has to prepare for the submission of supporting documentation, the provider may submit the IDR request form; DADS fax confirmation, and registration information² on the 10th calendar day after receiving the statement of deficiencies/violations from DADS. (If the 10th calendar day falls on a Saturday, Sunday, or legal holiday, the IDR request form and fax confirmation may be sent on the following business day.)

Any individual representing an institution or facility in an informal dispute resolution process **must** submit the following registration information with the IDR request form:

- ◆ The individual's employment history during the preceding five years, including employment with regulatory agencies of this state and other states;
- ◆ Ownership, including the identity of the controlling person or persons, of the institution or facility the individual is representing before the commission; and
- ◆ The identity of other entities the individual represents or has represented before HHSC during the previous 24 months³

¹ Legal holiday : federal and/or state

² Registration information : Any individual participating in an IDR process must attach the following registration information to the IDR request form: (1) the individual's employment history during the preceding five years, including employment in regulatory agencies of this state and other states; (2) ownership, including the identity of the controlling person or persons, of the institution or facility the individual is representing before the Commission; and (3) the identity of other entities the individual represents or has represented before the Commission during the previous 24 months. (TEX. GOV'T CODE ANN §531.058(a)(3) and Health and Safety Code §247.051(a)(3))

³ TEX.GOV'T CODE ANN §531.058(a)(3) and Health and Safety Code §247.051 (a)(3)

Rebuttal Letter Components

HHSC must receive **2 copies** of the rebuttal letter and supporting documentation within **5 calendar days** (or the following business day, if the 5th day falls on a Saturday, Sunday, or legal holiday) of submittal of the IDR request form. One copy will be used by HHSC to perform the IDR. The second copy will be forwarded to DADS. (The provider should not send a copy directly to DADS.)

The rebuttal letter is a written statement that includes:

- ◆ The **deficiencies/violations** disputed.
- ◆ The **reason** the deficiency/violation is disputed. (All submitted information must directly relate to the disputed deficiency.)
- ◆ The **desired outcome** for each disputed deficiency/violation.
- ◆ **Attachments** (such as care plans, Individual Program Plans (IPP), nurse's notes, physician's orders, Qualified Mental Retardation Professional (QMRP) notes, etc.) or information **that directly demonstrates that the deficiency/violation is not sustainable. Material must:**
 - ◆ Be properly labeled;
 - ◆ Be non-duplicative;
 - ◆ Include highlights of specific entries to be reviewed for each disputed deficiency/violation; and
 - ◆ Describe the relevance of the documentation to the disputed deficiency/violation.

Material that does not meet the above criteria will not be reviewed. Faxed copies of the supporting documentation will not be reviewed.

Note: *Do not submit complaints about a surveyor or the survey process.* Submit in writing to the DADS Program Manager for Compliance, Oversight, and Analysis for Regulatory Services any surveyor complaints or survey process complaints that were not resolved at the regional level.

Rebuttal Letter Requirements

The purpose of the rebuttal letter is to present the disputed position factually and succinctly. The rebuttal letter is the provider's opportunity to present reasons why the deficiency/violation is disputed. Address each deficiency/violation in the same order that it is cited on the statement of deficiency/violation. Each rebuttal letter argument **must** be supported by attachments that are consecutively numbered or lettered with the following exception: the rebuttal letter states that the sole basis of the facility's rebuttal is that the 2567/3724 does not establish a deficient practice.

Attachments:

An attachment is documentation that supports the position the provider is presenting. Attachments:

- ◆ May include facility forms specific to the disputed survey findings. Explain the relevancy of each form submitted. (Do not provide a blank form unless it is to prove that a form existed *at the time of the survey.*)
- ◆ May include documentation from appropriate facility records. For example, if the dispute is regarding a care plan that the surveyor found deficient, submit that care plan.
- ◆ May include applicable policies and procedures, contract documents, curricula or curriculum summaries, and attendee signature lists to indicate the training content and attendance for in-service training if not otherwise described in submitted information.
- ◆ With few exceptions, must include only documentation that existed in its original form and content as of the survey date.
- ◆ Must be **legible** documents. If the document is illegible, provide a typed version or neatly written transcription of the appropriate section of the illegible document. For example, nurse's notes, physician's orders, physician's progress notes, or documents received by fax are often illegible; attach the illegible copy along with a typed version or neatly written transcription of the appropriate

section of the document. **Illegible documents that are not adequately transcribed will not be reviewed.**

- ◆ May include citations of professional sources or standards. If so, submit a copy of the **relevant portion** of the source or professional standard cited.
- ◆ Include only information directly related to the reason for the disputed deficiency/violation.
- ◆ Written in languages other than English must include an English translation. (Follow the instructions listed above for illegible documents.)

IDR Preparation

HHSC requires the following format to facilitate the IDR review process:

- ◆ Submit **two copies** of all supporting information/attachments.
- ◆ Begin each attachment on a new page with a labeled tab or other descriptive identification.
- ◆ **Tab, label, or otherwise identify** attachments with **consecutive numbers or letters** on the **right-hand side or lower edge** of the document.
- ◆ Reference each tab in the rebuttal letter. An attachment must be identified in the rebuttal letter, tabbed and labeled, or **it will not be reviewed.**
- ◆ Organize attachments by deficiency/violation and cross-reference to the disputed deficiency/violation in the rebuttal letter.
- ◆ If more than one deficiency/violation is disputed, identify which attachments relate to a specific disputed deficiency/violation.
- ◆ If known, indicate whether or not attachments were provided to surveyors at time of the survey.
- ◆ **Number** all pages consecutively.
- ◆ **Highlight** information relevant to the deficiency/violation. Highlight the appropriate narrative, text, or information in the attachments.
- ◆ Address each disputed deficiency/violation in the rebuttal letter **in the same order** as the statement of deficiencies/violations.
- ◆ Identify the facility name and survey exit date on all documents.
- ◆ Indicate full name and title (typed) of persons signing affidavits, written statements and other documents and indicate the date on which the document was created.
- ◆ Identify the resident referenced in the disputed deficiency/violation and include resident names on all attachments.
- ◆ **Do not de-identify** documents that name residents referenced in disputed deficiencies/violations.
- ◆ Submit supporting documents by two-day mail, hand delivery, or overnight mail only.
- ◆ **Faxed copies of supporting documentation will not be reviewed.**

Do not submit:

- ◆ The statement of deficiencies/violations.
- ◆ The plan of correction. This is not a rebuttal argument and is not relevant to the IDR review.
- ◆ Copies of Federal or State standards.
- ◆ De-identified documents.
- ◆ Information dated *after* or actions that took place *after* the survey exit date (subject to rare exception).
- ◆ Legal arguments or briefs.
- ◆ Complaints about a surveyor or the survey process.

Shared IDR Information

HHSC will share all received IDR information with both parties.

- ◆ Parties have until the end of the second business day after receipt of the IDR information sent by HHSC to respond to HHSC. Responses to this information must be made by e-mail, fax, hand delivery, or overnight delivery only. Responses will be shared with both parties. There will be no further responses by either party, with the exception noted in the next bullet.

- ◆ HHSC, at the reviewer's discretion, may request additional information or clarification from either party. The response is due no later than the end of the second business day after the information/clarification is requested. HHSC will notify, in writing, all parties of the request for additional information/clarification and the subsequent response, if any. There is no opportunity to rebut the response to HHSC's request for additional information or clarification.

Note: State law governing nursing facilities (Health and Safety Code, Section 242.133), assisted living facilities (Health and Safety Code, Section 247.068), and ICFs-MR (Health and Safety Code, Section 252.132) prohibits retaliation against an employee who reports a possible violation or cooperates in an investigation.

IDR Conference

A provider may request a 30-minute telephone or face-to-face IDR conference under certain conditions. The IDR conference is an opportunity for eligible providers to emphasize to the IDR reviewer important information that was previously submitted in the rebuttal letter/supporting information. *No new information may be presented at an IDR conference.* DADS may attend if desired, but may not present information.

The provider may be granted an IDR conference if:

- ◆ The IDR conference was requested on the IDR request form, AND
- ◆ The survey visit resulted in deficiencies/violations in which remedies were imposed or adverse action was recommended, OR
- ◆ The survey visit resulted in deficiencies/violations in which immediate jeopardy or serious and immediate threat has been identified.

With provider input, HHSC will schedule the IDR conference on or before the 22nd day of the IDR process. Timelines do not allow for re-scheduled conferences. If a provider is unable to attend on the agreed upon appointment or a mutually agreeable appointment cannot be found, the IDR reverts to a desk review.

IDR Decision

HHSC will complete the review and issue an IDR decision no later than the **30th calendar day** after receipt of the IDR request. If the 30th calendar day falls on a Saturday, Sunday, or legal holiday, the decision and rationale will be issued the following business day. The IDR decision will address, in writing, the issues raised by the provider and will explain the rationale for the decision.



TEXAS HEALTH AND HUMAN SERVICES COMMISSION

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EXECUTIVE COMMISSIONER

January 7, 2009

**IDR Procedures for DADS
Nursing Facilities, ICFs-MR, Assisted Living Facilities**

DADS will:

- ◆ Receive a copy of the IDR request form from the provider before HHSC will accept an IDR request;
- ◆ Receive a copy of all IDR information reviewed in the IDR process; and
- ◆ Be informed of the results of the IDR and rationale for the decision.

IDR Outcomes

The following are possible outcomes of the IDR process:

- ◆ A determination that there is insufficient evidence to sustain a deficiency/violation;
- ◆ A determination that there is insufficient evidence to sustain a portion or a finding of a deficiency/violation;
- ◆ A determination that there is sufficient evidence to sustain a deficiency/violation; and/or
- ◆ A determination that there is insufficient evidence to sustain the deficiency/violation as cited but there is sufficient evidence to sustain the deficiency/violation at a different citation; and/or
- ◆ For Nursing Facilities with Immediate Jeopardy or Substandard Quality of Care deficiencies only: a determination that there is insufficient evidence to sustain the scope and severity at the Immediate Jeopardy or Substandard Quality of Care level but that there is sufficient evidence to sustain the deficiency/violation at a reduced (or lower) scope and severity.
- ◆ A determination that there is sufficient evidence to sustain the deficiency/violation and there was sufficient evidence to sustain the scope and severity at the Immediate Jeopardy or Substandard Quality of Care level.

IDR PROCESS

Timelines

Within **two business days** of DADS' receipt of the IDR request form, DADS must submit **one** legible **copy** of the information below to HHSC via fax. (Include a fax cover sheet to identify facility, exit date, and appropriate contact information.).

- ◆ Resident identifier list
- ◆ Report of Contact (ROC)
- ◆ ASPEN event ID number

Submittal of Information

DADS should not submit surveyor's notes or other supporting documentation in accordance with DADS and The Centers for Medicare and Medicaid Services (CMS) directives.

HHSC will:

- ◆ Consider the statement of deficiencies/violations as a "stand alone" document.
- ◆ Review only issues identified in the statement of deficiencies/violations.

Shared IDR Information

HHSC will share all received IDR information with both parties.

- ◆ Parties have until the end of the second business day after receipt of the IDR information sent by HHSC to respond to HHSC. Responses to this information must be by fax, email, hand delivery, or overnight delivery only. Responses will be shared with both parties. There will be no further responses by either party with the exception noted in the next bullet.
- ◆ HHSC, at the reviewer's discretion, may request additional information or clarification from either party. The response is due no later than the end of the second business day after the information/clarification is requested. HHSC will notify, in writing, all parties of the request for additional information/clarification and the subsequent response, if any. There is no opportunity to rebut the response to HHSC's request for additional information or clarification.

IDR Conference

A provider may request a 30-minute telephone or face-to-face IDR conference under certain conditions. The IDR conference is an opportunity for eligible providers to emphasize to the IDR reviewer important information that was previously submitted in the rebuttal letter/supporting information. *No new information may be presented at an IDR conference.* HHSC will notify DADS regional and state office staff of the IDR conference; DADS may attend if desired, but may not present information.

The provider may be granted an IDR conference if:

- ◆ The IDR conference was requested on the IDR request form, AND
- ◆ The survey visit resulted in deficiencies/violations in which remedies were imposed or adverse action was recommended, OR
- ◆ The survey visit resulted in deficiencies/violations in which immediate jeopardy or serious and immediate threat has been identified.

With provider input, HHSC will schedule the IDR conference on or before the 22nd day of the IDR process. Timelines do not allow for re-scheduled conferences. If a provider cannot attend on the agreed upon date or a mutually agreeable date cannot be found, the IDR reverts to a desk review.

IDR Decision

HHSC will complete the review and issue an IDR decision no later than the **30th calendar day after receipt of the IDR request.** If the 30th calendar day falls on a Saturday, Sunday, or legal holiday, the decision will be issued the following business day. The IDR decision will address, in writing, the issues raised by the provider and will explain the rationale for the decision.



TEXAS HEALTH AND HUMAN SERVICES COMMISSION

January 7, 2009

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EXECUTIVE COMMISSIONER

**IDR Procedures for IDR Reviewers
Nursing Facilities, ICFs-MR, Assisted Living Facilities**

Conflict of Interest Statement

HHSC commits to utilizing qualified reviewers who are neutral third parties to conduct the IDR process. Reviewers will not be assigned cases in which a known conflict of interest exists.

Timelines. HHSC will:

- ◆ No later than the third business day after receipt of the IDR request form, acknowledge an IDR request by faxing the provider an acknowledgement letter and informing DADS regional and state office staff of the IDR request.
- ◆ Send copies of all IDR information received to all parties no later than the 10th day after receipt of the IDR request form.
- ◆ Conduct an objective IDR review and issue an IDR decision no later than the **30th calendar day** after receipt of the IDR request. If the 30th calendar day falls on a Saturday, Sunday, or legal holiday, the decision will be issued the following business day.

Shared IDR Information

HHSC will share all received IDR information with both parties.

- ◆ Parties have until the end of the second business day after receipt of the IDR information sent by HHSC to respond to HHSC. Responses to this information must be by fax, email, hand delivery, or overnight delivery only. Responses will be shared with both parties. There will be no further responses by either party with the exception noted in the next bullet.
- ◆ HHSC, at the reviewer's discretion, may request additional information or clarification from either party. The response is due no later than the end of the second business day after the information/clarification is requested. HHSC will notify, in writing, all parties of the request for additional information/clarification and the subsequent response, if any. There is no opportunity to rebut the response to HHSC's request for additional information or clarification.

IDR Conference

A provider may request a 30-minute telephone or face-to-face IDR conference under certain conditions. The IDR conference is an opportunity for eligible providers to emphasize important information that was submitted in the rebuttal letter/supporting information. *No new information may be presented at an IDR conference.* HHSC will notify DADS regional and state office staff of the IDR conference. DADS may attend if desired, but may not present information.

The provider may be granted an IDR conference if:

- ◆ It is requested on the IDR request form, AND
- ◆ The survey visit resulted in deficiencies/violations in which remedies were imposed or adverse action was recommended, OR

- ◆ The survey visit resulted in deficiencies/violations in which immediate jeopardy or serious and immediate threat was identified.

With provider input, HHSC will schedule the IDR conference on or before the 22nd day of the IDR process. Timelines do not allow for re-scheduled conferences. If a provider cannot attend on the agreed upon date or a mutually agreeable date cannot be found, the IDR reverts to a desk review.

HHSC will conduct IDR conferences fairly and impartially.

IDR Decision and Rationale Letter

Components

Upon reaching a decision about the disputed deficiency/violation, the IDR reviewer will prepare a written notification to the provider, with copies to DADS regional and state office staff. The IDR decision will address, in writing, the issues raised by the provider and explain the rationale for the decision. The decision and rationale will include:

- ◆ Identifying information, including survey exit date and receipt date of the IDR request.
- ◆ A brief synopsis of the regulatory basis for the deficiency/violation (i.e., regulation or standard against which submitted information is measured).
- ◆ A reasoned analysis of the submitted evidence, applicable regulation or standard and the rationale for the reviewer's decision for each disputed deficiency/violation.

Surveyor or surveyor protocol complaints will not be addressed in HHSC's IDR decision and rationale.

Timeline

HHSC will complete the decision and rationale letter no later than the **30th calendar day** after receipt of IDR request. If the 30th calendar day falls on a Saturday, Sunday, or legal holiday, the decision and rationale will be completed the following business day.

Request for Informal Dispute Resolution Form⁴

This form must be completed to request an informal dispute resolution (IDR) for long-term care facilities. If you have questions, contact the IDR Program at 512. 706.7268; by e-mail at IDR@hhsc.state.tx.us or refer to the IDR Procedures at the HHSC website: http://www.hhs.state.tx.us/OMB/IDR/idf_GPF_02_start.shtml

- Step 1 Fax a copy of a completed and signed IDR request form to your DADS Regional Office.
- Step 2. Fax 3 Items: IDR request form, DADS fax confirmation, & registration information* to IDR at 512. 706.7275 within 10 calendar days⁵ of receiving the statement of deficiencies/violations from DADS. (NOTE: Submittal on the 10th calendar day maximizes supporting documentation preparation time.)
- Step 3. The IDR Program must receive TWO copies of supporting documentation** by hand delivery, overnight mail, or 2-day mail at the address below within five calendar days of submitting this request.

**HHSC IDR Program
1106 Clayton Lane, Suite 300 W.
Austin, TX 78723**

The IDR Program must receive the IDR request & supporting documentation within timeframes or the IDR will be denied.

Facility Name _____ Region: _____ Facility ID _____

Facility Contact Name & Title/Telephone Number _____

Mailing Address, City, Zip Code, and County _____

Fax Number and E-mail Address _____

Corporate Office, (if any), and its Mailing Address, City, Zip Code, Phone, Fax, and e-mail. _____

Check Type of Review Requested: _____ Telephone (if eligible) _____ Face to face (if eligible) _____ Desk Review _____

Date Statement of Deficiencies/Violations Received _____ Survey Exit Date _____
(Note: the above dates WILL NOT be the same date)

Attorney Representative (if any), Phone, Fax, and e-mail. _____

Attorney Address, City, Zip Code _____

If an Attorney is listed, all correspondence will be directed solely to the attorney, not the facility.

Disputed Deficiencies/Violations. List only those deficiencies/violations you dispute. (Add additional sheets as necessary.)

- | | | | | |
|----------|----------|----------|----------|-----------|
| 1. _____ | 3. _____ | 5. _____ | 7. _____ | 9. _____ |
| 2. _____ | 4. _____ | 6. _____ | 8. _____ | 10. _____ |

***Registration Information:** Any individual participating in an IDR process must attach the following registration information to the IDR request form: (1) the individual’s employment history during the preceding five years, including employment in regulatory agencies of this state and other states; (2) ownership, including the identity of the controlling person or persons, of the institution or facility the individual is representing before the Commission; and (3) the identity of other entities the individual represents or has represented before the Commission during the previous 24 months. (TEX. GOV’T CODE ANN §531.058(a)(3) and Health and Safety Code §247.051(a)(3))

**** Supporting Documentation --** 1. Rebuttal Letter organized by tag disputed. 2. Attachments (identified by tabs and highlighted).

Submitted by: _____ Date _____

Must be signed or request is subject to denial

“With a few exceptions, Texas privacy laws and the Public Information Act entitle you to ask HHSC about the information collected on this form, to receive and review this information, and to request that HHSC correct inaccuracies. HHSC’s procedures for requesting corrections are in Title 1 of the Texas Administrative Code, Sections 351.17 through 351.23.”

⁴ HHSC IDR request form 9/15/03, revised January 09

⁵ If the designated due date (calendar day) falls on a Saturday, Sunday, or legal holiday, the due date becomes the following business day.



TEXAS HEALTH AND HUMAN SERVICES COMMISSION

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EXECUTIVE COMMISSIONER

January 7, 2009

IDR TIMELINES

Within 10 *Calendar* days of Provider's Receipt of Statement of Deficiencies/Violations From DADS

HHSC must receive Provider's IDR request form. If the 10th calendar day falls on a Saturday, Sunday, or legal holiday, the IDR request form must be received by HHSC the following business day.

HHSC will immediately (within 3 business days of receipt of IDR request) notify both the provider and DADS of receipt of the IDR Request.

Within 2 business days of DADS' receipt of the IDR request form

DADS must submit to HHSC by fax **one legible copy** of the Resident Identifier List, Report of Contact, and ASPEN Event ID number.

Within 5 calendar days of HHSC's receipt of the IDR request form

HHSC must receive **two copies** of supporting documentation from the provider. If the 5th calendar day falls on a Saturday, Sunday, or legal holiday, the documentation must be received by HHSC the following business day.

No later than the 10th calendar day after HHSC receives the IDR request form

HHSC will send all the supporting documentation received from each party to other party, i.e., provider information will be provided to DADS and DADS information will be provided to the provider.

Within 2 business days after supporting documentation is received by the parties from HHSC

The parties may submit a response to the supporting documentation provided.

No later than the 22nd calendar day after HHSC receives the IDR request form

Approved IDR conferences will be scheduled. Previously agreed upon conferences will not be rescheduled. If the original conference date is cancelled or a mutually agreeable date cannot be found, the IDR will revert to a desk review.

Within 30 days after HHSC's receipt of the IDR request form

HHSC must complete the IDR process. HHSC will inform the provider and DADS region and state offices of IDR's decision and rationale. If the 30th calendar day falls on a Saturday, Sunday, or legal holiday, the decision and rationale will be completed and provided to the parties on the following business day.