

HURRICANE HARVEY

EMERGENCY GUIDANCE REGARDING MOLD REMEDIATION IN TEXAS COUNTIES UNDER THE GOVERNOR'S DISASTER DECLARATION

GUIDANCE DATE: September 7, 2017

In-State Mold Assessment and Remediation Companies:

Current licensees who are unable to renew in a timely manner will have their licenses extended, and late renewal fees will be waived.

The waivers described below for out-of-state mold remediators shall apply to in-state licensed mold remediators for the duration of the Governor's Disaster Declaration, as well. Licensure requirements for Mold Assessors are not waived but the requirement that a mold remediation project have an assessment is.

Both Texas licensed and newly registered mold remediators should tell building owners that using the waived mold remediation process may make insurance reimbursement more complicated, and that normal mold remediation practices are still recommended by the Department of State Health Services to ensure that mold remediation is properly conducted and completed. Normal mold remediation rules were put in place to ensure building and building occupants' safety under normal circumstances.

Unlicensed and Out-of-State Mold Remediation Companies

Licensure requirements for Unlicensed and Out-of-State Mold Remediation Companies are waived for the duration of the Governor's Disaster Declaration. The Declaration covers the following Texas counties:

Angelina, Aransas, Atascosa, Austin, Bastrop, Bee, Bexar, Brazoria, Brazos, Burleson, Caldwell, Calhoun, Cameron, Chambers, Colorado, Comal, DeWitt, Fayette, Fort Bend, Galveston, Goliad, Gonzales, Grimes, Guadalupe, Hardin, Harris, Jackson, Jasper, Jefferson, Jim Wells, Karnes, Kerr, Kleberg, Lavaca, Lee, Leon, Liberty, Live Oak, Madison, Matagorda, Montgomery, Newton, Nueces, Orange, Polk,

Refugio, San Jacinto, Sabine, San Patricio, Trinity, Tyler, Victoria, Walker, Waller, Washington, Wharton, Willacy, and Wilson.

In lieu of licensure, Unlicensed and Out-of-State Mold Remediation Companies wishing to work under the disaster declaration can do so if they register with the Department of State Health Services. No fee will be assessed for registration. Companies wanting to register can do so by sending the following information to mold.reg@dshs.texas.gov. Putting **Mold Remediation Waiver Request** in the subject line will expedite proper handling:

1. Business name, owner's name and 24/7 contact number
2. Proof of business registration in another state or via a Texas Secretary of State Tax ID number.
3. A list of employees working in the impacted areas
4. Verification of training for all employees
5. Proof of liability insurance

Registration will be considered complete when all the information has been sent to the email address. A response from DSHS is not necessary for companies to begin serving in the applicable counties. A list of properly registered companies will be posted on the DSHS Consumer Protection Division's Hurricane Response webpage. Notification of mold remediation projects is voluntary for the duration of the disaster declaration.

Entities or persons who do not have a Texas license to perform remediation **MAY NOT** sign a Certificate of Mold Damage Remediation (CMDR). **A registration is NOT a Texas license.** Only mold assessment consultants and mold remediation contractors with a current Texas license may sign the CMDR's top section and only if the Texas Mold Assessment and Remediation Rules (TMARR) are followed in their entirety.

A mold assessment consultant licensed by Texas may sign the bottom of the CMDR after inspecting a completed project and finding that the work successfully removed the mold.

Registered and licensed mold remediators are subject to unannounced inspections. Egregious violations of safety may be subject to enforcement actions including administrative penalties and revocation of registration and/or licensure.