



# TEXAS DEPARTMENT OF STATE HEALTH SERVICES

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## **Guidance regarding Co-location of Substance Abuse Treatment Facilities and Narcotic Treatment Programs and/or other Programs/Services**

As trends in behavioral health have moved toward greater integration of services, the Department of State Health Services (Department), Division for Regulatory Services, has been presented with situations where more than one type of treatment or services is located, or proposed to be located, in one facility or physical location. The Department will specifically address such situations with stakeholders when rules for Chemical Dependency Treatment Facilities and Narcotic Treatment Programs in 25 Texas Administrative Code (TAC) Chapters 448 and 229, Subchapter J, respectively, are updated.

In the interim, and because record security and access, client confidentiality, and drug control may be more readily susceptible to being compromised in a co-located setting, the Department is providing the following guidance to assist facilities with multiple services and/or treatment types at the same physical location to create the organizational structure for ensuring both adequate client, drug, and record protection and full legal compliance in these particular areas of concern.

To this end, providers' policies and procedures, as written and as implemented, should effectively address:

- Security of records when no authorized staff is continuously present in the immediate area;
- Access and control of records to only staff whose job duties require access, to include designating which client/patients to whom each staff person's access applies;
- Documenting each instance of access to client/patient records, such as through a check-in/check-out log that includes the date and name of the individual accessing the record, and client number; and,
- Additional measures to prevent potential drug diversion where narcotic treatment programs are being co-located with another licensed provider or treatment/service type.

Finally, if one or more of the co-located providers holds a required facility license, the DSHS Division for Regulatory Services must be able to determine compliance with all requisite statutes and rules during inspections or complaint investigations. Operations shall be maintained with required staff and systems of control to ensure that the client and business records of co-located licensed facilities are readily identifiable to regulatory staff. Co-located providers may share the same point of entry and a waiting room.

Please note that this guidance does not constitute a limitation on any legal requirement or replace the fact and case-specific nature of any licensure or compliance evaluation or decision.

If you have further questions regarding this matter, please contact Charlotte Sullivan, Regulatory Licensing Unit Manager, at (512) 834-6730 or via e-mail at: [Charlotte.Sullivan@dshs.state.tx.us](mailto:Charlotte.Sullivan@dshs.state.tx.us)