



Health Facility Licensing Guidance Letter

Number: GL 20-1004-A
Title: Temporary Suspension of 30-Mile Radius Limit for Multiple Hospitals Under a Single License [Amended]
Provider Types: General and Special Hospitals
Date Issued: March 31, 2020

1.0 Subject and Purpose

The Health and Human Services Commission (HHSC) requested the Office of the Governor suspend certain statutory and regulatory requirements in response to the state of disaster declared in Texas and the United States of America relating to COVID-19. In accordance with Texas Government Code §418.016, the Office of the Governor granted HHSC's request to suspend these requirements. This suspension is in effect until terminated by the Office of the Governor or until the March 13, 2020, disaster declaration is lifted or expires. This letter describes the statute and rules suspended during the disaster.

2.0 Suspension Details

The Office of the Governor suspended the requirement that all buildings under a single hospital license in which inpatients receive hospital services must be within 30 miles of the primary hospital location. Under this waiver, a currently licensed general or special hospital may temporarily provide treatment under its license to patients at a location that is more than 30 miles from the hospital's main address. The Office of the Governor also suspended the prohibition on issuing a hospital license and an ambulatory surgical center (ASC) license for the same premises.

General and special hospitals will be required to revert to the original notification requirements in the future, as required by HHSC.

2.1 Temporary Suspension of 30-Mile Radius Limit for Multiple Hospitals Under One License

This suspension allows general and special hospitals to provide treatment to patients at multiple locations beyond 30 miles from the primary location of the facility. General and special hospitals will be required to comply with the provisions at a later date as required by HHSC. The following statute and rule are suspended:

- General and Special Hospitals
 - Rules: Texas Administrative Code, Title 25 (25 TAC) [§133.2\(47\)\(B\)\(ii\)](#)
 - Statutes: HSC [§241.023\(c-1\)\(2\)](#)

2.2 Temporary Suspension of Ban on Issuing Hospital License and ASC license for the same premises.

This suspension allows general and special hospitals and ASCs to be licensed for the same premises. General and special hospitals will be required to comply with the provisions at a later date as required by HHSC. The following rule is suspended:

- General and Special Hospitals
 - Rules: 25 TAC [§133.21\(c\)\(5\)](#)

3.0 Background/History

In accordance with Texas Government Code §418.016, the Office of the Governor granted HHSC's request to suspend these rules. This suspension is in effect until terminated by the Office of the Governor or until the March 13, 2020, disaster declaration is lifted or expires.

4.0 Resources

Governor Abbott's Disaster Declaration

https://gov.texas.gov/uploads/files/press/DISASTER_covid19_disaster_proclamation_IMAGE_03-13-2020.pdf

5.0 Contact Information

If you have any questions about this letter, please contact the Policy, Rules and Training Unit by email at HCO_PRT@hsc.state.tx.us.