



# Selected Memory Care Facilities

## Silverado Barton Springs Memory Care Community

### Results in Brief

#### Why OIG Conducted This Audit

The Texas Health and Human Services Office of Inspector General Audit and Inspections Division (OIG Audit) conducted an audit of Silverado Barton Springs Memory Care Community (Silverado Barton Springs), an assisted living facility licensed by Texas Health and Human Services Commission (HHSC). OIG Audit's annual risk assessment included identification of risks regarding assisted living facilities advertising as providing memory care services without disclosing whether the facility holds a certification to serve residents with Alzheimer's disease.

#### Summary of Review

The objective of the audit was to determine whether Silverado Barton Springs, advertising as a memory care facility, provided services and operated in compliance with applicable laws, rules, and guidelines.

The audit scope covered the period from September 1, 2020, through December 31, 2021.

#### Conclusion

Silverado Barton Springs Memory Care Community (Silverado Barton Springs) complied with most of the Texas Health and Human Services Commission's (HHSC's) health and safety requirements tested by the Texas Health and Human Services (HHS) Office of Inspector General (OIG) Audit and Inspections Divisions (OIG Audit). However, the facility did not comply with select requirements related to (a) annual Employee Misconduct Registry checks and (b) emergency preparedness and response planning.

#### Key Results

Based on the unannounced visit on November 3, 2021, and additional testing, Silverado Barton Springs complied with requirements related to:

- Disclosing the facility's certification status. Silverado Barton Springs is an HHSC-certified provider of services for individuals with Alzheimer's disease or related disorders, and it has a process to ensure prospective residents and their families know about the certification, as required.
- Conducting required background checks prior to employment. Silverado Barton Springs provided evidence of a criminal history check for all seven facility employees tested.
- Completing resident assessment and service plan documentation, both upon admission and annually. Silverado Barton Springs completed initial comprehensive assessments and service plans timely and appropriately for all 17 residents tested. Silverado Barton Springs also completed annual assessments and service plans timely for 13 residents tested who had been there at least a year.
- Providing the required number and type of resident activities. There were monthly activity schedules with a balanced mix of structured activities to meet residents' needs for cognitive stimulation and recreation. For the 16 applicable residents tested, scheduled activities aligned with residents' needs and abilities.

## Background

All assisted living facilities in Texas must be licensed by HHSC. Texas assisted living facilities have the option to seek HHSC certification for providing specialized care for Alzheimer's disease or related disorders. Silverado Barton Springs, an assisted living facility licensed by HHSC, provides care for people with Alzheimer's disease or related disorders. Silverado Barton Springs is licensed and certified to provide services for up to 56 individuals with Alzheimer's disease or related disorders. Silverado Senior Living Management, LLC, assumed management of Silverado Barton Springs on August 1, 2020, one month before the beginning of the audit scope, so some of the data used to select the facility reflected conditions under prior management. At the time of the audit, Silverado Barton Springs was one of three assisted living facilities in Texas managed by Silverado Senior Living Management, LLC.

## Management Response

OIG Audit presented preliminary audit results, issues, and recommendations to Silverado Barton Springs in a draft report dated May 18, 2022. Silverado Barton Springs agreed with the audit recommendations and asserted corrective actions had already been implemented. Silverado Barton Springs's management responses are included in the report following each recommendation.

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- Providing required training to facility employees. Of the seven facility employees tested, documentation showed each employee (100 percent) received the required applicable orientation, on-the-job, and annual in-service training.

However, opportunities exist for Silverado Barton Springs to improve processes related to (a) annual employability checks of facility employees and (b) emergency preparedness and response planning. Specifically:

- Silverado Barton Springs did not perform annual Employee Misconduct Registry checks. Without these required checks, there is an increased risk that the facility may not identify facility employees who are no longer eligible to work in the facility and residents may be at a higher risk of abuse, neglect, and exploitation.
- Silverado Barton Springs had an emergency preparedness and response plan; however, it did not comply with all selected Texas Administrative Code requirements. Specifically, the facility did not:
  - Maintain a complete and current emergency preparedness and response plan. When an emergency preparedness and response plan is inadequate or out-of-date, or when staff do not know where to find it, it hinders the staff's ability to effectively respond to emergencies.
  - Communicate the emergency preparedness and response plan to residents and residents' legally authorized representatives. Not providing an emergency preparedness and response plan to residents and their legally authorized representatives increases the risk that families will not know how residents will be cared for in the event of an emergency.
  - Request an annual fire marshal inspection. Without requesting an inspection or addressing deficiencies noted, residents may be at risk from hazards that would be identified by the fire marshal or that the facility has not yet addressed.

## Recommendations

Silverado Barton Springs should:

- Establish a process to ensure the facility performs required annual Employee Misconduct Registry checks for all facility employees.
- Complete the emergency preparedness and response plan to ensure it includes all information needed to respond to emergencies.
- Develop a process to ensure (a) the emergency preparedness and response plan is reviewed annually and after a significant event, and document reviews performed, (b) it communicates the location of the emergency preparedness and response plan to all facility employees, (c) residents and residents' legally authorized representatives receive a written copy of the emergency preparedness and response plan, and (d) it requests a fire marshal inspection annually and corrects items cited by the fire marshal in the December 2021 inspection report.