

# Texas Administrative Code

[TITLE 25](#) HEALTH SERVICES  
[PART 1](#) DEPARTMENT OF STATE HEALTH SERVICES  
[CHAPTER 133](#) HOSPITAL LICENSING  
[SUBCHAPTER J](#) HOSPITAL LEVEL OF CARE DESIGNATIONS FOR NEONATAL  
AND MATERNAL CARE  
RULE §133.190 Survey Team

---

(a) The survey team composition shall be as follows:

(1) Level I facilities neonatal program staff shall conduct a self-survey, documenting the findings on the approved office survey form. The office may periodically require validation of the survey findings, by an on-site review conducted by department staff.

(2) Level II facilities shall be surveyed by a team that is multi-disciplinary and includes at a minimum of one neonatologist and one neonatal nurse, all approved in advance by the office and currently active in the management of neonatal patients at a facility providing the same or a higher level of neonatal care.

(3) Level III facilities shall be surveyed by a team that is multi-disciplinary and includes at a minimum of one neonatologist and one neonatal nurse, all approved in advance by the office and currently active in the management of neonatal patients at a facility providing the same or a higher level of neonatal care. An additional surveyor may be requested by the facility or at the discretion of the office.

(4) Level IV facilities shall be surveyed by a team that is multi-disciplinary and includes at a minimum of one neonatologist, a surgeon with pediatric expertise and one neonatal nurse, all approved in advance by the office and currently active in the management of neonatal patients at a facility providing the same level of neonatal care. If the facility holds a current pediatric surgery verification by the American College of Surgeons, the facility may be exempted from having a pediatric surgeon as a member of the survey team.

(b) Office-credentialed surveyors must meet the following criteria:

(1) have at least three years of experience in the care of neonatal patients;

(2) be currently employed/practicing in the coordination of care for neonatal patients;

(3) have direct experience in the preparation for and successful completion of neonatal facility verification/designation;

(4) have successfully completed an office-approved neonatal facility site surveyor course and be successfully re-credentialed every four years; and  
(5) have current credentials as follows:

(A) a registered nurse who is current in the NRP and has successfully completed an office approved site survey internship; or

(B) a physician who is board certified in the respective specialty, current in the NRP, and has successfully completed an office approved site survey internship; or

(C) a surgeon who is board certified, has demonstrated expertise in pediatric surgery, and has successfully completed an office approved site survey internship.

(c) All members of the survey team, except department staff, shall come from a Perinatal Care Region outside the facility's location and at least 100 miles from the facility. There shall be no business or patient care relationship or any potential conflict of interest between the surveyor or the surveyor's place of employment and the facility being surveyed.

(d) The survey team shall evaluate the facility's compliance with the designation criteria by:

(1) reviewing medical records; staff rosters and schedules; documentation of QAPI Program activities including peer review; the program plan; policies and procedures; and other documents relevant to neonatal care;

(2) reviewing equipment and the physical plant;

(3) conducting interviews with facility personnel; and

(4) evaluating appropriate use of telemedicine capabilities where applicable.

(e) All information and materials submitted by a facility to the office under Health and Safety Code, §241.183(d), are subject to confidentiality as articulated in Health and Safety Code, §241.184, Confidentiality; Privilege, and are not subject to disclosure under Government Code, Chapter 552, or discovery, subpoena, or other means of legal compulsion for release to any person.

---

**Source Note:** The provisions of this §133.190 adopted to be effective June 9, 2016, 41 TexReg 4011