



DEVELOPMENT SERVICES

RULE INTERPRETATION DETERMINATION


Determination #: 2022-002

Title: *Tuberculosis Testing Requirements for Transitional Housing*

Drafted by: *Land Development Division, Policy Administration Section; Metropolitan Health District*

Rule in Question: *Section 35-390(i)(2): Permissible Tenants*


Department Action: *This RID is for clarification purposes and includes suggested UDC amendments.*



Michael Shannon, PE, CBO
Development Services Director

6/29/22

Date



Claude Jacob
Metropolitan Health Director

6/29/22

Date

Effective Date of Determination: Immediately

Please note RIDs often result in direct or related UDC amendments to codify the clarification addressed within the RID. RIDs can also be superseded by subsequent RIDs or UDC amendments. The Development Services Department will remove RIDs from the website when they are no longer valid.

Staff Analysis: UDC Section 35-390(i)(2) states:

No tenant or resident may occupy a transitional home without first being screened for tuberculosis. The operator of the transitional home must demonstrate that any tenant or

resident testing positive for tuberculosis is of no danger to other tenants or residents relative to possible transference or infection of said residents.

A skin test (PPD) is commonly utilized by transitional housing facilities as a TB screening test. This test necessitates a 48–72-hour window between testing and reading results. A strict enforcement of the code today requires these individuals remain outside of a transitional housing facility until results are obtained.

The City of San Antonio Metropolitan Health District has raised concerns specific to the requirement to test a referral for tuberculosis prior to admission into a transitional housing facility. Referrals are often populations experiencing homelessness, or are coming from a variety of other settings, including psychiatric crisis units and state or federal prisons.

Staff Position and Interpretation:

The interval required to complete TB screening impairs the process of securing an efficient transfer of patients from either a hospital or psychiatric crisis unit or a prison into the transitional residential facility and could potentially result in ‘losing’ the referral, which ultimately can increase the burden in other parts of the crisis system in the city.

Future UDC Amendments:

Development Services Department and the Metropolitan Health District propose the following UDC amendment.

TB screening of the tenant or resident shall be completed prior to being admitted to the facility or within seven (7) calendar days of admission into the residential facility. The operator of the transitional home must have procedures in place to prevent transmission of TB to other residents from any tenant or resident testing positive for tuberculosis. No tenant or resident may occupy a transitional home without first being screened for tuberculosis. The operator of the transitional home must demonstrate that any tenant or resident testing positive for tuberculosis is of no danger to other tenants or residents relative to possible transference or infection of said residents.

This proposed amendment adheres to guidance established by the State of Texas, and codified in Title 37, Part 6, Chapter 163: Community Justice Assistance Division Standards, which states:

- (C) *Medical Examinations.*
 - (ii) *TB screening of residents shall be completed within seven calendar days of admission into the residential facility and repeated annually thereafter. If a resident was confined in a jail or other correctional facility immediately prior to admission to a CCF, a TB screening test that was completed no more than 30 days prior to transfer to a residential facility may be accepted, provided that a TB questionnaire is completed and filed with the TB screening test results.*