

RCCL

Residential Child Care Licensing Overview

The Texas Department of Family and Protective Services is granted its authority to regulate child care facilities and child placing agencies by the Texas Legislature in Chapter 42 of the Texas Human Resources Code.

The purpose of regulation is to protect a group or class of children by establishing and enforcing statewide minimum standards.

Total Average Filled Full Time Equivalent (FTE) Staff*

Investigators	64.0
Monitors	54.1
Supervisors	21.8
Other Staff	32.3
Total RCCL Staff	172.2

Worker Demographics

Turnover Rate	16.1%
Agency Tenure:	
Less Than 1 Year	14.4%
1 - 3 Years	20.3%
Greater than 3 Years	65.3%
Entry Salary (INV)*	\$36,976
Entry Salary (Non INV)*	\$32,976
Average Age	38.6
Race/Ethnicity:	
Anglo	36.4%
African American	33.9%
Hispanic	27.1%
Other	2.5%

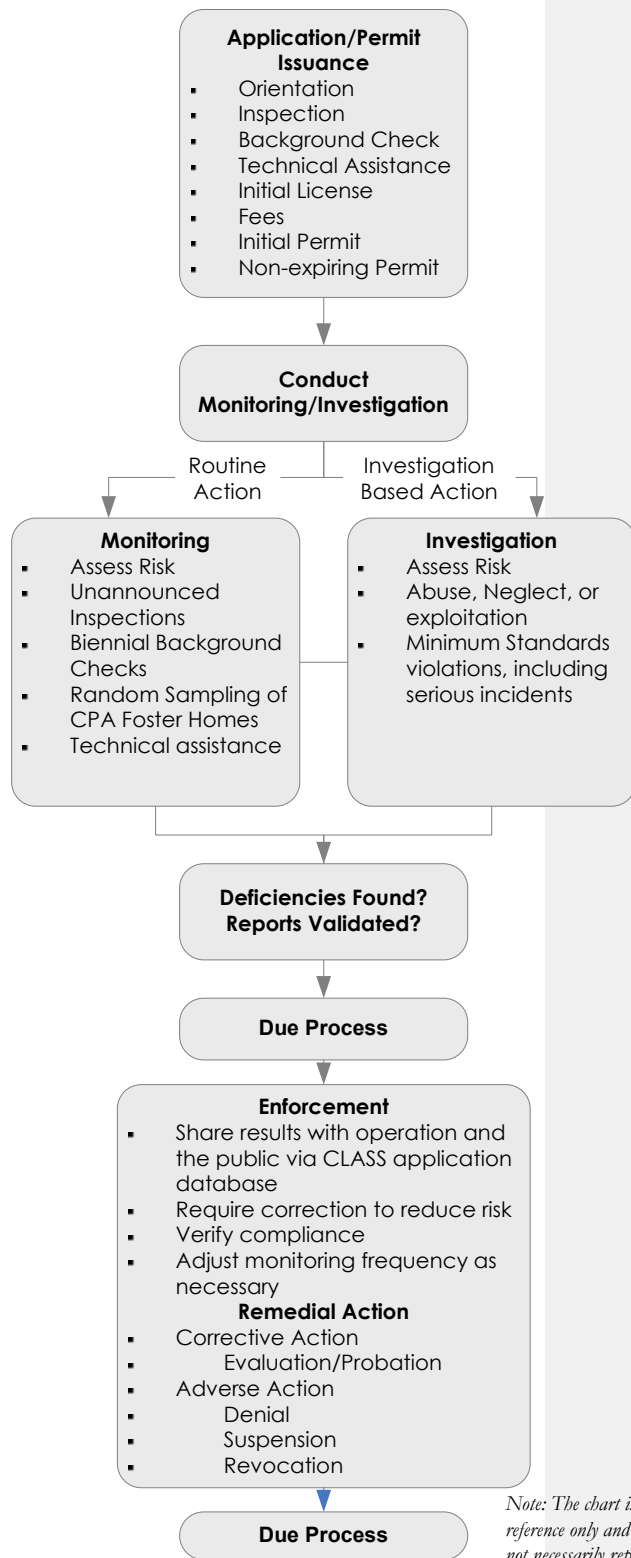
Supervisor Demographics

Turnover Rate	12.9%
Tenure as Supervisor:	
Less Than 1 Year	18.2%
1 - 3 Years	36.4%
Greater than 3 Years	45.5%
Entry Salary*	\$48,278
Average Age	41.8
Race/Ethnicity:	
African American	40.9%
Anglo	27.3%
Hispanic	27.3%
Other	4.5%

RCCL Expenditures*

RCCL Staff	\$10,053,338
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* Source: DFPS Office of Finance and FY 2016 Operating Budget (plus benefit replacement pay).



Note: The chart is for reference only and does not necessarily represent the flow of a case.

Statistics FY 2015

24-Hour Care Facilities (on Aug 31)	10,495
Capacity of Facilities (on Aug 31)	41,073
Abuse/Neglect Investigations	1,898
Non-Abuse/Neglect Investigations	4,308
Inspections	4,448
Adverse Actions	1

Legal Responsibility for Child-Care Licensing

Day Care and Residential Care: Statutory References
Social Security Act
Human Resources Code, Chapters 40, 42, and 43
Texas Family Code, Title 5
Texas Government Code
Texas Health and Safety Code, Chapter 249
Texas Administrative Code, Title 40

Major Provisions:

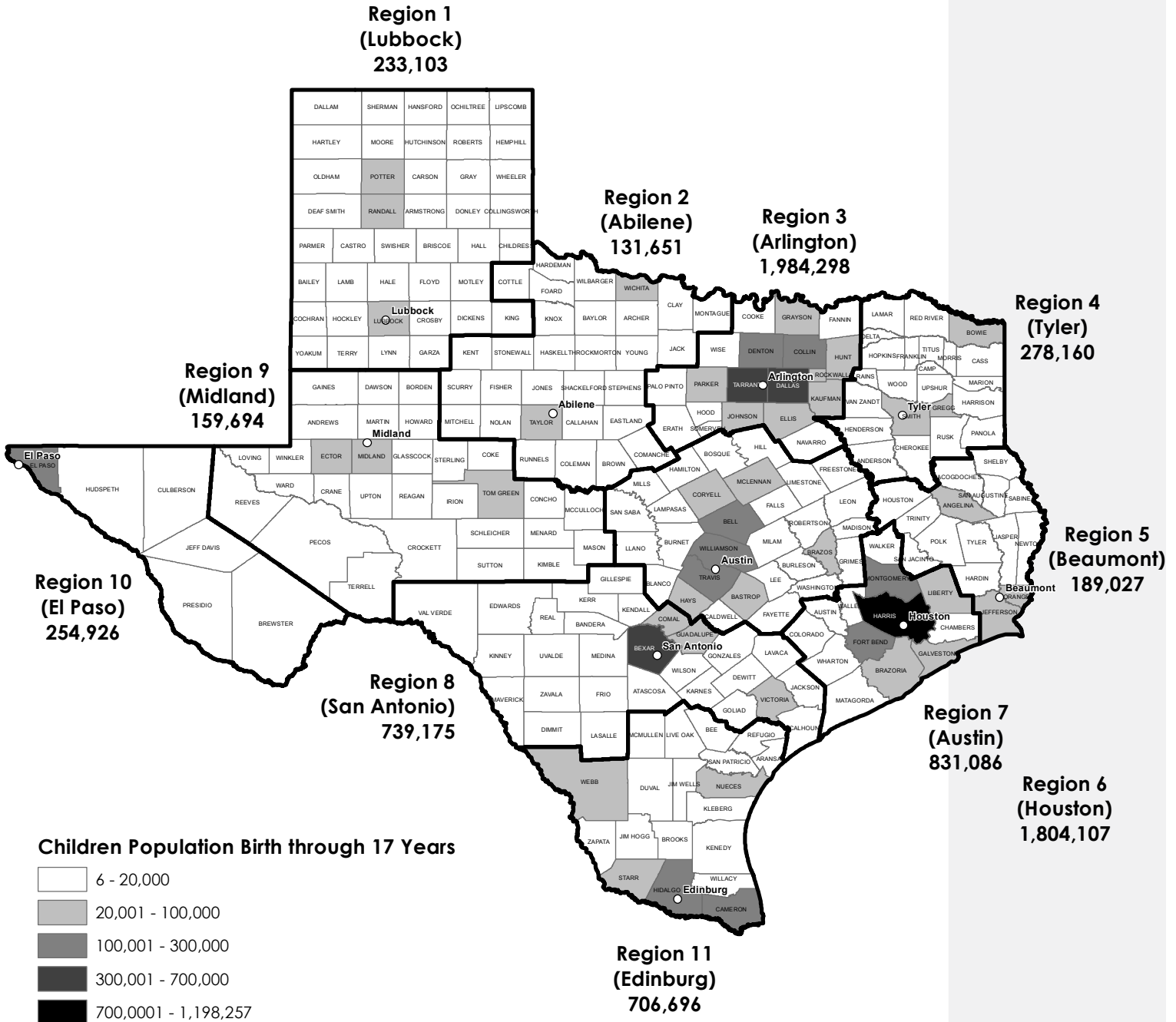
- Develop minimum standards to promote the health, safety, and well-being of children in out-of-home care.
- Inspect child-care operations to ensure they maintain compliance with minimum standards.
- Investigate allegations of abuse/neglect, investigate violations of standards or the law and ensure appropriate enforcement actions are taken.
- Conduct criminal background checks and DFPS Central Registry checks on all adult staff or caregivers, other adults and youth ages 14 to 18 who will be in regular or frequent contact with children in child-care operations.
- Take corrective and adverse actions when necessary.
- Offer consultation to potential applicants and permit holders about meeting and maintaining compliance with licensing standards.
- Educate the general public about choosing regulated child-care and inform them of the child-care options in Texas through media campaigns and by maintaining an online database of child-care providers, including information regarding each operation's compliance history.
- Enforce regulatory requirements for all child-care providers, including illegally operating child-care providers.
- Conduct inspections of a random sample of agency foster homes.
- Conduct annual enforcement team conferences to thoroughly review operations.

Other Programmatic Information: Challenges

- Consistently enforcing adherence to minimum standards across the state.
- Developing cooperative, professional, and effective relationships with operations resulting in increased compliance and stronger protection for children.
- Providing technical assistance to all child care operations, especially focusing on those struggling to maintain compliance with standards.
- Providing thorough, efficient and timely background check results to over a quarter of a million people each year seeking to work in child care, provide foster care or adopt a child.
- Maximizing technology resources to improve the efficiency and effectiveness of regulatory practices and allow licensing staff to become an increasingly mobile workforce.
- Creating standards that protect the health and safety of children in care without impacting the affordability and availability of that care.

**Texas Child Population
Ages Birth through 17 Years
Fiscal Year 2015**

State Total: 7,311,923



Population Data Source: Population Estimates and Projections Program, Texas State Data Center, Office of the State Demographer and the Institute for Demographic and Socioeconomic Research, The University of Texas at San Antonio. Current Population Estimates and Projections Data as of December 2015.

Residential Child Care Licensing Operations* in Texas on August 31 by Fiscal Year

Operation Type	2011	2012	2013	2014	2015
Child Placing Agencies (CPA)**	350	362	370	381	391
Homes Verified by CPAs	10,167	9,849	9,676	9,692	9,866
General Residential Operations	160	157	161	156	161
Residential Treatment Centers	85	80	74	75	74
Independent Foster Family and Group Homes	4	5	4	3	3
Maternity Homes***	8	6	0	0	0
Total	10,774	10,459	10,285	10,307	10,495

*Excludes applicants.

**Includes Branch Offices

***For more information, refer to the Child Care Licensing Definitions section.

Residential Child Care Licensing Operations in Texas on August 31 by Fiscal Year

Child Placing Agencies*	2014		2015	
	Count	Capacity	Count	Capacity
Main Offices	221	N/A	222	N/A
Branch Offices**	160	N/A	169	N/A
Subtotal	381		391	
Homes Verified by Child Placing Agencies	Count	Capacity	Count	Capacity
Agency Foster Homes ***	7,243	20,826	7,598	21,346
Agency Group Homes ***	649	4,181	629	4,011
CPS Foster Family Homes	1,181	3,363	1,098	3,140
CPS Foster Group Homes	12	73	7	38
CPS Adoptive Homes	607	NA	534	NA
Subtotal	9,692	28,443	9,866	28,535
Licensed Residential Operations	Count	Capacity	Count	Capacity
General Residential Operations	156	8,533	161	9,026
Residential Treatment Centers ****	75	3,520	74	3,483
Independent Foster Homes	0	0	0	0
Independent Foster Group Homes	3	29	3	29
Subtotal	234	12,082	238	12,538
Total Residential Child Care Licensing Operations	10,307	40,525	10,495	41,073

* Includes 11 DFPS Regional Child Placing Agencies.

** Branch Offices operate under the license authority of the main office.

*** Adoptive only homes are not included in the number of private agency homes.

**** Residential Treatment Centers (RTC) are a care type of General Residential Operations (GRO). To determine the total number for the GROs, add the counts for RTCs to the counts for GROs.

Residential Child Care Operations on August 31, by Region and Fiscal Year

Child Placing Agencies

Region	Main Offices		Branch Offices		Total CPAs	
	2014	2015	2014	2015	2014	2015
1 Lubbock	11	11	11	12	22	23
2 Abilene	7	7	12	12	19	19
3 Arlington	67	68	26	27	93	95
4 Tyler	6	7	11	9	17	16
5 Beaumont	4	4	6	6	10	10
6 Houston	44	44	25	27	69	71
7 Austin	38	37	17	16	55	53
8 San Antonio	32	32	15	14	47	46
9 Midland	4	4	5	6	9	10
10 El Paso	3	3	6	6	9	9
11 Edinburg	5	5	26	34	31	39
Statewide	221	222	160	169	381	391

Homes Verified by Child Placing Agencies

Region	Agency Foster Homes		Agency Group Homes		CPS Foster Homes	
	2014	2015	2014	2015	2014	2015
1 Lubbock	337	332	28	31	110	106
2 Abilene	247	272	18	27	15	5
3 Arlington	1,814	1,956	157	166	220	162
4 Tyler	290	297	19	26	105	101
5 Beaumont	166	176	20	18	120	112
6 Houston	1,643	1,677	116	99	181	144
7 Austin	950	987	74	66	139	145
8 San Antonio	1,003	1,039	131	111	101	106
9 Midland	155	189	14	11	1	0
10 El Paso	135	126	6	6	33	30
11 Edinburg	491	543	65	68	37	58
Unknown	12	4	1	0	119	129
Statewide	7,243	7,598	649	629	1,181	1,098

Region	CPS Foster Group Homes		CPS Adoptive Homes		Subtotal - Total Homes Verified by CPAs	
	2014	2015	2014	2015	2014	2015
1 Lubbock	2	1	15	18	492	488
2 Abilene	0	0	6	4	286	308
3 Arlington	3	2	66	44	2,260	2,330
4 Tyler	0	0	35	31	449	455
5 Beaumont	2	2	22	13	330	321
6 Houston	0	0	95	84	2,035	2,004
7 Austin	2	2	106	100	1,271	1,300
8 San Antonio	1	0	203	187	1,439	1,443
9 Midland	0	0	14	9	184	209
10 El Paso	0	0	11	11	185	173
11 Edinburg	2	0	25	23	620	692
Unknown	0	0	9	10	141	143
Statewide	12	7	607	534	9,692	9,866

Residential Child Care Operations on August 31, by Region and Fiscal Year

Licensed Residential Operations

Region	General Residential Operations		Residential Treatment Centers		Independent Foster Family Homes	
	2014	2015	2014	2015	2014	2015
1 Lubbock	10	10	3	3	0	0
2 Abilene	6	6	0	0	0	0
3 Arlington	18	18	7	7	0	0
4 Tyler	6	6	4	3	0	0
5 Beaumont	5	5	1	1	0	0
6 Houston	31	32	32	32	0	0
7 Austin	23	25	13	13	0	0
8 San Antonio	28	29	13	13	0	0
9 Midland	4	3	0	0	0	0
10 El Paso	6	6	1	1	0	0
11 Edinburg	19	21	1	1	0	0
Unknown/Out of State	0	0	0	0	0	0
Total	156	161	75	74	0	0

Region	Independent Foster Group Homes		Subtotal - Licensed Residential Operations		Total Residential Child Care Licensing Operations	
	2014	2015	2014	2015	2014	2015
1 Lubbock	0	0	13	13	527	524
2 Abilene	0	0	6	6	311	333
3 Arlington	0	0	25	25	2,378	2,450
4 Tyler	0	0	10	9	476	480
5 Beaumont	0	0	6	6	346	337
6 Houston	3	3	66	67	2,170	2,142
7 Austin	0	0	36	38	1,362	1,391
8 San Antonio	0	0	41	42	1,527	1,531
9 Midland	0	0	4	3	197	222
10 El Paso	0	0	7	7	201	189
11 Edinburg	0	0	20	22	671	753
Unknown/Out of State	0	0	0	0	141	143
Total	3	3	234	238	10,307	10,495

Licensing of Residential Child Care Operations by Region Fiscal Year 2015

Child Placing Agencies*

Region	Applications Accepted	Initial Permits Issued	Full Permits Issued
1 Lubbock	0	0	1
2 Abilene	0	0	0
3 Arlington	9	12	2
4 Tyler	0	0	0
5 Beaumont	0	0	0
6 Houston	6	4	4
7 Austin	0	1	1
8 San Antonio	2	2	2
9 Midland	0	0	0
10 El Paso	0	0	0
11 Edinburg	0	0	0
State Total	17	19	10

General Residential Operations**

Region	Applications Accepted	Initial Permits Issued	Full Permits Issued
1 Lubbock	0	0	1
2 Abilene	0	0	0
3 Arlington	1	1	0
4 Tyler	0	0	0
5 Beaumont	0	0	0
6 Houston	3	2	1
7 Austin	1	2	1
8 San Antonio	2	2	2
9 Midland	0	0	0
10 El Paso	0	0	0
11 Edinburg	1	3	2
State Total	8	10	7

*Excludes homes verified by Child Placing Agencies

**Excluding Residential Treatment Centers.

Licensing of Residential Child Care Operations by Region Fiscal Year 2015

Residential Treatment Centers*

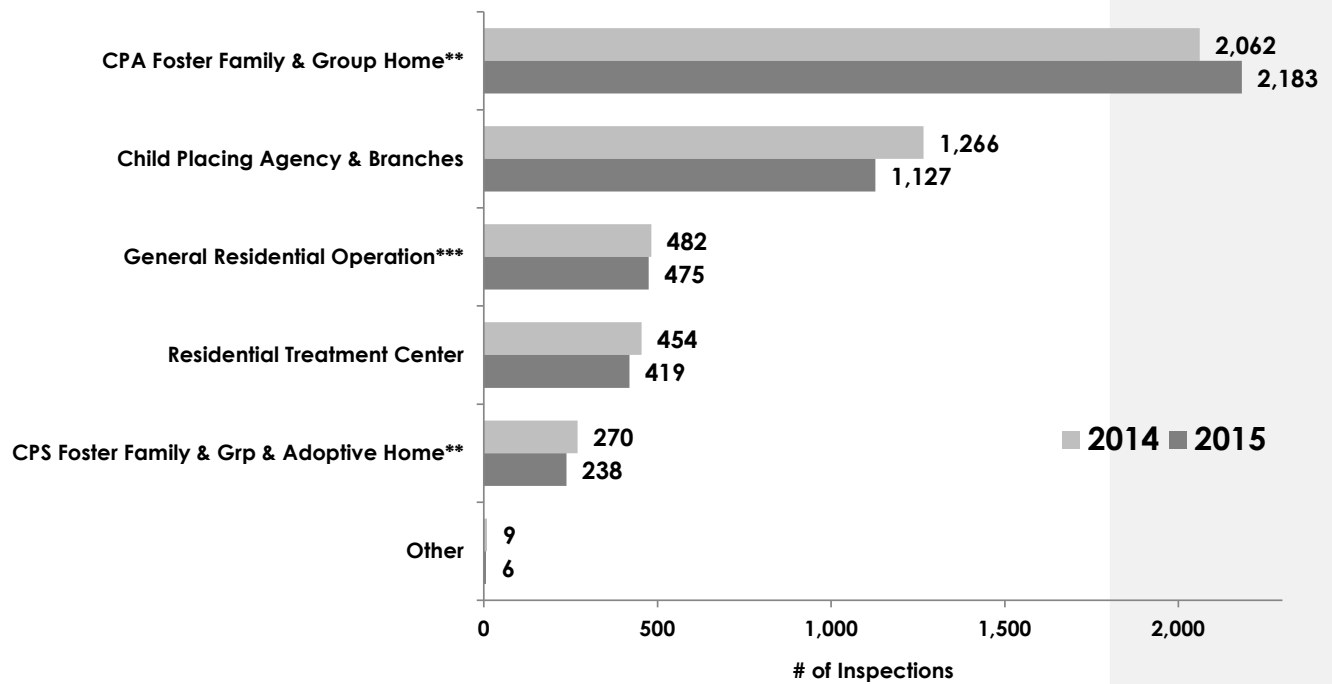
Region	Applications Accepted	Initial Permits Issued	Full Permits Issued
1 Lubbock	0	0	0
2 Abilene	1	1	0
3 Arlington	1	1	0
4 Tyler	1	1	0
5 Beaumont	1	0	0
6 Houston	1	1	0
7 Austin	0	0	0
8 San Antonio	0	0	0
9 Midland	0	0	0
10 El Paso	0	0	0
11 Edinburg	0	0	0
State Total	5	4	0

Independent Foster/Group Homes

Region	Applications Accepted	Initial Permits Issued	Full Permits Issued
1 Lubbock	0	0	0
2 Abilene	0	0	0
3 Arlington	1	0	0
4 Tyler	0	0	0
5 Beaumont	0	0	0
6 Houston	0	0	0
7 Austin	0	0	0
8 San Antonio	0	0	0
9 Midland	0	0	0
10 El Paso	0	0	0
11 Edinburg	0	0	0
State Total	1	0	0

*Residential Treatment Centers are a subset of General Residential Operations.

Inspections in Residential Care Operations by Operation Type and Fiscal Year



Operation Type	2014			2015		
	Operations	Inspections	% of Total Inspections	Operations	Inspections	% of Total Inspections
CPA Foster Family & Group Home**	10,258	2,062	45.4%	10,675	2,183	49.1%
Child Placing Agency & Branches	434	1,266	27.9%	436	1,127	25.3%
General Residential Operation***	178	482	10.6%	175	475	10.7%
Residential Treatment Center	83	454	10.0%	85	419	9.4%
CPS Foster Family & Grp & Adoptive Home**	3,949	270	5.9%	3,626	238	5.4%
Independent Foster/Foster Group Home	5	5	0.1%	3	6	0.1%
Illegal Operation	60	4	0.1%	37	0	0.0%
Exemption Request****	8	0	0.0%	4	0	0.0%
Totals*****	14,975	4,543		15,041	4,448	
Unduplicated Operations	14,953			n/a		

*Excludes inspections conducted as part of an investigation.

**An inspection may be conducted at an agency foster home to determine whether the Child Placing Agency managing the foster home is compliant in its verification, monitoring and management of the foster home and the children in care.

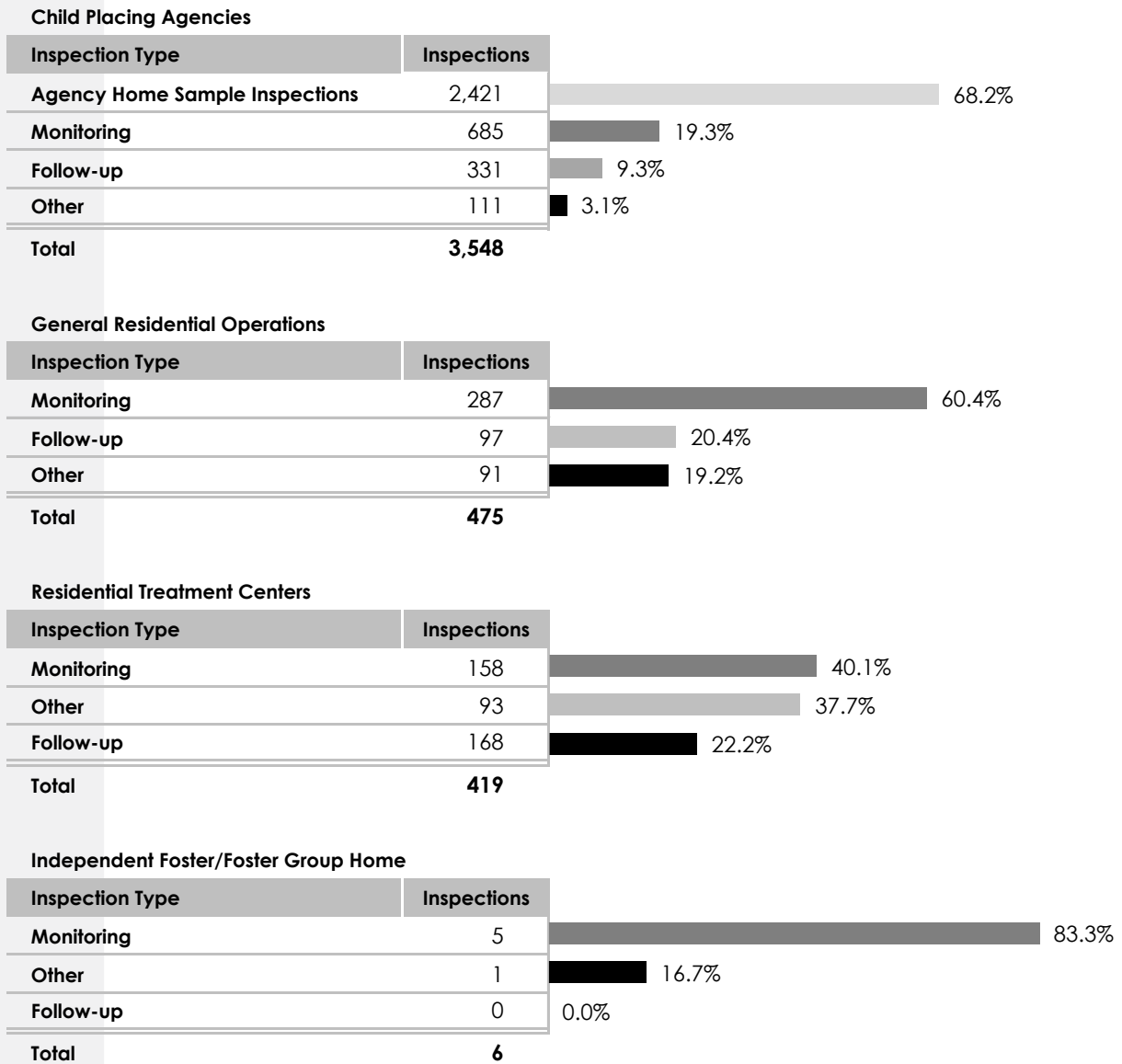
***Excludes Residential Treatment Centers, which are counted separately.

****An inspection may be conducted to determine if a program is exempt from regulation.

*****Operations that change from an Illegal Operation or Exemption Request to a permitted operation type would be included in counts for both operation types. Inspections conducted as part of an investigation are excluded.

NOTE: The methodology used for this chart was modified in FY15; therefore, the data captured within it may not match prior data books.

Inspections in Residential Child Care Licensing Operations by Type of Inspection Fiscal Year 2015



Note: RCCL inspects agency foster homes for two reasons (1) to conduct an investigation; or (2) to determine whether the CPA managing the foster homes is compliant in its verification, monitoring and management of the foster home and the children in care. Foster home inspections for the latter purpose are periodically selected at random from across the state from the DFPS database for inspection.

Non-Abuse/Neglect Investigations in Residential Child Care Licensing Operations Fiscal Year 2015

Operation Type	Operations		Non-Abuse/Neglect Investigations	
	Count	With a Non-A/N Investigation	Completed	With at Least One Deficiency Cited*
Licensed Residential Child Care Operations				
Child Placing Agencies (CPA) & Branches	436	277	2,795	479
General Residential Operations (GRO)**	175	136	745	176
Residential Treatment Centers (RTC)	85	65	760	144
Independent Foster/Foster Group Homes	3	0	0	0
Subtotals	699	478	4,300	799
Other				
Illegal Operations	37	8	8	0
Exemption Requests***	4	0	0	0
Totals	740	486	4,308	799

Note: An operation may have multiple investigations.

*Only includes deficiencies that are related to the investigation allegations.

**Excludes RTC's which are a subset of GRO's and counted separately.

***Inspections to Exemption Requests are conducted to assess whether the program is exempt from Licensing's regulation.

Non-Abuse/Neglect Investigations* in Residential Care Licensing by Operation Type and Region Fiscal Year 2015

Region	Totals	Child Placing Agencies	Residential Treatment Centers	General Residential Operations	Illegal Operations	Independent Foster / Foster Group Homes	Exemption Requests
1 Lubbock	259	167	41	51	0	0	0
2 Abilene	122	108	1	13	0	0	0
3 Arlington	819	761	25	33	0	0	0
4 Tyler	162	73	52	36	1	0	0
5 Beaumont	79	52	12	15	0	0	0
6 Houston	961	469	321	168	3	0	0
7 Austin	771	525	137	107	2	0	0
8 San Antonio	623	304	158	159	2	0	0
9 Midland	63	60	0	3	0	0	0
10 El Paso	65	42	2	21	0	0	0
11 Edinburg	384	234	11	139	0	0	0
Statewide	4,308	2,795	760	745	8	0	0

Closed Abuse/Neglect Investigations in Residential Child Care Licensing Operations Fiscal Year 2015

Operation Type	Operations		Abuse/Neglect Investigations			
	Count	With Closed A/N Investigation	Closed	Validated	Percent Validated	With at Least One Deficiency Cited*
Licensed Residential Child Care Operations						
Child Placing Agencies (CPA) & Branches	436	221	1,031	41	4.0%	321
General Residential Operations (GRO)**	175	96	268	11	4.1%	84
Residential Treatment Centers (RTC)	85	64	596	20	3.4%	154
Independent Foster/Foster Group Homes	3	0	0	0	0.0%	0
Subtotal	699	381	1,895	72	3.8%	559
Other						
Illegal Operations	37	3	3	1	33.3%	0
Exemption Requests	4	0	0	0	0.0%	0
Statewide	740	384	1,898	73	3.8%	559

*Only includes deficiencies that are related to the investigation allegations.

**Excludes RTC's which are a subset of GRO's and counted separately.

Closed Abuse/Neglect Investigations in Residential Care Operations Fiscal Year 2015

Region	Totals	Child Placing Agencies & Branches	Residential Treatment Centers	General Residential Operations	Illegal Operations	Independent Foster/Group Homes	Exemption Requests
1 Lubbock	127	45	62	20	0	0	0
2 Abilene	44	36	1	7	0	0	0
3 Arlington	341	283	35	22	1	0	0
4 Tyler	64	28	26	10	0	0	0
5 Beaumont	30	17	7	6	0	0	0
6 Houston	491	202	226	62	1	0	0
7 Austin	266	115	105	46	0	0	0
8 San Antonio	340	159	124	56	1	0	0
9 Midland	21	19	0	2	0	0	0
10 El Paso	29	23	2	4	0	0	0
11 Edinburg	145	104	8	33	0	0	0
Statewide	1,898	1,031	596	268	3	0	0

Adverse and Corrective Actions in Residential Child Care Licensing Operations by Region Fiscal Year 2015

Region	Corrective Actions*		
	Totals	Evaluation	Probation
1 Lubbock	0	0	0
2 Abilene	0	0	0
3 Arlington	0	0	0
4 Tyler	2	2	0
5 Beaumont	0	0	0
6 Houston	1	1	0
7 Austin	5	4	1
8 San Antonio	0	0	0
9 Midland	0	0	0
10 El Paso	0	0	0
11 Edinburg	0	0	0
Unknown	0	0	0
Statewide	8	7	1

Region	Adverse Actions**			
	Totals	Permits Denied	Permits Revoked	Permits Suspended***
1 Lubbock	0	0	0	0
2 Abilene	0	0	0	0
3 Arlington	1	1	0	0
4 Tyler	0	0	0	0
5 Beaumont	0	0	0	0
6 Houston	0	0	0	0
7 Austin	0	0	0	0
8 San Antonio	0	0	0	0
9 Midland	0	0	0	0
10 El Paso	0	0	0	0
11 Edinburg	0	0	0	0
Unknown	0	0	0	0
Statewide	1	1	0	0

* Only includes corrective actions for which the corrective action begin date is within the fiscal year.

** Only includes adverse actions for which the operation was notified of the decision to impose adverse action during the fiscal year. This occurs after the first phase of due process is completed and the decision to impose adverse action is upheld or waived.

*** Voluntary Suspensions are excluded from the count of suspensions.

Background Checks for Residential Child Care Licensing Operations Fiscal Year 2015

Residential Child Care Licensing Operations	Background Checks Requested		
	Central Registry	DPS	FBI
CPAs, CPA Foster Agency Homes	59,607	59,604	51,128
General Residential Operations*	16,478	16,477	12,315
Residential Treatment Centers**	6,697	6,694	5,956
Independent Foster/Group Homes	675	674	631
Total	83,457	83,449	70,030

*GRO counts exclude Residential Treatment Centers.

**Residential Treatment Centers are a subset of General Residential Operations.

Child Care Administrator Credential Exam Fiscal Year 2015

Licensed Child Care Administrators (LCCA)	#	%
Passed	49	83.1%
Failed	10	16.9%
Total LCCA Exams	59	

Licensed Child Placing Agency Administrators (LCPA)	#	%
Passed	49	89.1%
Failed	6	10.9%
Total LCPA Exams	55	

Total number of exams for both licenses for FY15 was 114.

Child Care Licensed Administrators on August 31, 2015

Administrator Type	Total	Active	Inactive
Licensed Child Care Administrators	815	683	132
Licensed Child Placing Agency Administrators	572	530	42
Total	1,387	1,213	174

**State's Top 10 Standards Deficiencies for Residential Child Care Operations
by Type of Operation
Fiscal Year 2015**

Child Placing Agencies

Rank	Standard Rule	Description	Deficiencies*	% of Total
1	749.607(1)	Employee and caregiver responsibilities-Competency, prudent judgment, self-control in presence of children and when performing assigned tasks	93	2.1%
2	749.1953(a)	Corporal Punishment-May not use/threaten corporal punishment, such as hitting/spanking, forced exercise, holding physical position, unproductive work.	91	2.0%
3	745.625(b)	Renewal background checks submitted - No later than two years from the date of your most recently requested initial or renewal background check	75	1.7%
4	745.626(b)	Background check results - When FBI required, must receive FBI result prior to allowing unsupervised contact or direct access to children in care	48	1.1%
5	749.2593(a)(3)	Supervision-The caregiver is responsible for ensuring each child's safety and well being, including auditory and/or visual awareness of the child	47	1.1%
6	749.1417(a)	TB exam-Persons over 1 yr old who live, work, volunteer at operation have exam w/in 30 days, unless person had previous exam that meets requirements	44	1.0%
7	749.1521(1)	Medication Storage-Store medication in a locked container	39	0.9%
8	749.3041(1)	Physical Environment-Foster home must ensure that home is safe for children, kept clean, and in good repair	35	0.8%
9	745.625(a)(6)	Initial background check submitted - between 90 days before and 90 days after non-client resident becomes 14 years	31	0.7%
10	749.1957(8)	Other Prohibited Discipline-Humiliating, shaming, ridiculing, rejecting, or yelling at a child	30	0.7%

General Residential Operations**

Rank	Standard Rule	Description	Deficiencies*	% of Total
1	748.507(1)	Employee general responsibilities-Demonstrate competency, prudent judgment, self-control in presence of children and when performing assigned tasks	91	2.0%
2	748.685(a)(4)	Caregiver responsibility - providing the level of supervision necessary to ensure each child's safety and well-being	57	1.3%
3	748.3301(a)	Physical Site-Buildings must be structurally sound, clean, and in good repair. Paints must be lead-free	55	1.2%
4	748.2003(b)(5)	Administration of Medication-Ensure the child has taken the medication as prescribed	31	0.7%
5	748.2307(9)	Other Prohibited Punishments-subjecting a child to abusive or profane language	28	0.6%
5	748.685(a)(3)	Caregiver responsibility - being aware of and accountable for each child's on-going activity	28	0.6%
6	748.3421(3)	Poisons-Ensure poisonous or flammable materials are inaccessible to children unless child has been evaluated as capable & likely to use responsibly	23	0.5%
7	748.1101(b)(4)	Children's rights-Adhere to the child's rights to be free of abuse, neglect, and exploitation as defined in Texas Family Code 261.401	22	0.5%
7	748.2307(8)	Other Prohibited Punishments-humiliating, shaming, ridiculing, rejecting, or yelling at a child	22	0.5%
8	748.2003(b)(3)	Administration of Medication-Administer medications according to label instructions or a prescribing health-care professional's subsequent orders	19	0.4%
9	748.2953(b)	Evaluation-Operation's quarterly data on emergency behavior interventions must be reported to Licensing quarterly	18	0.4%
10	748.1583(a)	TB exam-Persons over 1 yr old who live, work, volunteer at facility have exam w/in 30 days, unless person had previous exam that meets requirements	17	0.4%
10	748.3101(2)	Fire Inspection-Must have fire inspection at least once every 12 months from date of last fire inspection	17	0.4%
10	748.685(a)(5)	Caregiver responsibility - being able to intervene when necessary to ensure child's safety	17	0.4%

* Includes inspection, investigation, and assessment deficiencies for which the administrative review was upheld or waived.

** Count excludes Residential Treatment Centers, which are a subset of General Residential Operations.

NOTE: The following items are evaluated during most inspections and therefore may be cited more frequently: supervision of children; child/caregiver ratio; swimming pools and transportation safety, if applicable; fire, safety, sanitation requirements; responsibilities of the director, administrator, staff, or caregivers, and background checks.

**State's Top 10 Standards Deficiencies for Residential Child Care Operations
by Type of Operation
Fiscal Year 2015**

Residential Treatment Centers

Rank	Standard Rule	Description	Deficiencies*	% of Total
1	748.507(1)	Employee general responsibilities-Demonstrate competency, prudent judgment, self-control in presence of children and when performing assigned tasks	48	1.1%
2	748.3301(a)	Physical Site-Buildings must be structurally sound, clean, and in good repair. Paints must be lead-free	25	0.6%
3	748.2307(9)	Other Prohibited Punishments-subjecting a child to abusive or profane language	23	0.5%
4	748.685(a)(4)	Caregiver responsibility - providing the level of supervision necessary to ensure each child's safety and well-being	21	0.5%
5	748.1101(b)(4)	Children's rights-Adhere to the child's rights to be free of abuse, neglect, and exploitation as defined in Texas Family Code 261.401	15	0.3%
5	748.685(a)(3)	Caregiver responsibility - being aware of and accountable for each child's on-going activity	15	0.3%
6	748.2003(b)(5)	Administration of Medication-Ensure the child has taken the medication as prescribed	14	0.3%
7	748.2307(8)	Other Prohibited Punishments-humiliating, shaming, ridiculing, rejecting, or yelling at a child	12	0.3%
8	748.2551(a)	EBI Implementation-Must be an appropriate response to the behavior demonstrated, and de-escalation must have failed	11	0.2%
8	748.2551(c)(1)	EBI Implementation-Caregiver must minimize risk of physical discomfort, harm, or pain to the child	11	0.2%
9	748.2151(b)(5)	Medication Record-Must include date (day, month, year) & time each medication was administered	9	0.2%
9	748.3421(3)	Poisons-Ensure poisonous or flammable materials are inaccessible to children unless child has been evaluated as capable & likely to use responsibly	9	0.2%
10	748.1003(a)	Child/caregiver ratio-Caregiver may care for 5 children if any require tx svcs, 8 children if not; children under 5 yrs old count as 2 children	8	0.2%
10	748.1531(a)(2)	Medical care-A child in care must receive medical care as needed for injury, illness, and pain	8	0.2%
10	748.1583(a)	TB exam-Persons over 1 yr old who live, work, volunteer at facility have exam w/in 30 days, unless person had previous exam that meets requirements	8	0.2%
10	748.2151(c)	Medication Record-Must include accurate daily count of each prescribed medication	8	0.2%
10	748.3301(i)	Physical Site-Equipment and furniture must be safe for children and must be kept clean and in good repair	8	0.2%

* Includes inspection, investigation, and assessment deficiencies for which the administrative review was upheld or waived.

NOTE: The following items are evaluated during most inspections and therefore may be cited more frequently: supervision of children; child/caregiver ratio; swimming pools and transportation safety, if applicable; fire, safety, sanitation requirements; responsibilities of the director, administrator, staff, or caregivers, and background checks.

**State's Top 10 Standards Deficiencies for Residential Child Care Operations
by Type of Operation
Fiscal Year 2015**

Independent Foster/Group Homes

Rank	Standard Rule	Description	Deficiencies*	% of Total
1	750.701 / 749.1409(a)(4)	General dental requirements-Child must receive dental care as needed for ongoing maintenance of dental health	2	0.04%
1	750.901 / 749.2383(b)	Evaluation-Operation's quarterly data on emergency behavior interventions must be reported to Licensing quarterly	2	0.04%
2	745.4151(c)(4)(B)	Mandatory Drug Testing-All Employees are Subject to Random, Unannounced Drug Testing	1	0.02%
2	745.625(a)(6)	Initial background check submitted - between 90 days before and 90 days after non-client resident becomes 14 years	1	0.02%
2	750.201(3) / 749.553(6)	Personnel records-Include notarized Licensing Affidavit for Applicants for Employment form as specified in Human Resources Code, 42.059	1	0.02%
2	750.237(2)	Active child record-Includes known allergies and chronic conditions or "no known allergies" on exterior of record or in a clearly visible location	1	0.02%
2	750.401(1) / 749.981(a)(2)	First-aid-CPR training-Caregiver must be certified in CPR for infants, children, and adults before he can be only caregiver responsible for a child	1	0.02%
2	750.401(1) / 749.983	First-aid-CPR renewal-Each caregiver must complete first-aid training or CPR training as required to maintain a current certification	1	0.02%
2	750.503	Admission Assessment-Must be developed by a person who meets one of the four minimum qualification options in the rule	1	0.02%
2	750.601 / 749.1309(b)(1)(A)	Service Plan-Must include needs identified in the admission assessment	1	0.02%
2	750.601 / 749.1309(b)(1)(A)(iii)	Service Plan-Must include needs related to intellectual functioning and plans for follow-up	1	0.02%
2	750.601 / 749.1309(b)(1)(D)	Service Plan-Must include goals & strategies to meet child's needs, including instructions to caregivers	1	0.02%
2	750.601 / 749.1309(b)(1)(E)	Service Plan-For children 13 years old or older, must include a plan for education in required areas	1	0.02%
2	750.601 / 749.1309(b)(1)(F)	Service Plan-If child is 14 years old or older, include plans for experiential life skills training	1	0.02%
2	750.601 / 749.1309(b)(1)(H)	Service Plan-For children who exhibit high risk behavior, must include specific information	1	0.02%
2	750.801 / 749.1893(6)	Educational needs- Caregivers must request ARD, IEP, and ITP meetings if concerned with the child's educational program	1	0.02%

* Includes inspection, investigation, and assessment deficiencies for which the administrative review was upheld or waived.

NOTE: The following items are evaluated during most inspections and therefore may be cited more frequently: supervision of children; child/caregiver ratio; swimming pools and transportation safety, if applicable; fire, safety, sanitation requirements; responsibilities of the director, administrator, staff, or caregivers, and background checks.

