## 4800 Risk Analysis

LPPH ~~November 2009~~ DRAFT 5747-CCL (title is revised)

Policy

A risk analysis is an objective report written by a risk analyst that contains:

a. an analysis of an operation’s compliance with Licensing law, rules, and minimum standards;

b. an identification of indicators associated with the potential of a higher risk of harm to the children in care at an operation; and

c. recommendations regarding Licensing monitoring or enforcement actions with the operation, based on the risk identified.

Texas Human Resources Code (HRC) [§42.0211](http://www.statutes.legis.state.tx.us/Docs/HR/htm/HR.42.htm#42.0211)

A risk analysis does not replace the responsibility of Licensing staff to assess risk after each inspection, investigation, or significant change that occurs at an operation.

### 4810 Requesting a Risk Analysis

LPPH ~~November 2009~~ DRAFT 5747-CCL (new item; currently part of 4800)

Procedure

To request a risk analysis, the district director, the manager, or the Licensing supervisor emails a completed [Form 2875](http://intranet.dfps.state.tx.us/Application/Forms/showFile.aspx?Name=2875.doc) CCL PMU Risk Analysis to the *DFPS CCL RA\_ARIF Requests* mailbox.

### 4820 Risk Analysis Review Period

LPPH ~~November 2009~~ DRAFT 5747-CCL (new item; currently part of 4800)

Policy

A risk analysis is based upon a review of the operation’s compliance history over the last two years.

If the operation had an initial permit within the last two years, the risk analysis includes a review of any compliance history from the initial permit periods that fall within the review period time frame.

If the operation has not had a permit for two years when the risk analysis is completed, the review period begins on the date Licensing issued the permit.

If another risk analysis was completed on the operation within the last two years, the new risk analysis analyzes the operation’s two-year compliance history as it relates to the level of risk to children and the recommendation for Licensing’s next monitoring and enforcement actions. However, the section of the report that summarizes the operation’s compliance history lists only information regarding inspections, assessments, and investigations conducted after the most recent risk analysis was completed.

To request an exception to the review period time frame, Licensing staff complete the appropriate section on [Form 2875](http://intranet.dfps.state.tx.us/Application/Forms/showFile.aspx?Name=2875.doc) CCL PMU Risk Analysis. The Performance Management Unit reviews requests for exceptions on a case-by-case basis.

### 4830 Risk Analyst Responsibilities

LPPH ~~November 2009~~ DRAFT 5747-CCL (new item; currently part of 4800)

After receiving an assignment to complete a risk analysis, the risk analyst informs the requestor of the projected date by which the analysis will be completed. Under most circumstances, the completed, written analysis is completed within 10 days from the date the risk analyst receives the assignment.

After completing the risk analysis, the risk analyst sends a copy of the risk analysis and [Form 1900](http://intranet.dfps.state.tx.us/Application/Forms/showFile.aspx?Name=1900.doc) PMU Risk Analysis Feedback to the following persons:

a. The requestor

b. The district director or manager, as appropriate

c. The director of field

The risk analyst then documents the following on the operation’s *Chronology* page in the CLASS system:

a. Date the risk analysis was completed

b. Name of the requestor

c. Name of the risk analyst that completed the risk analysis

### 4840 Licensing Staff Responsibilities After Receiving a Completed Risk Analysis

LPPH ~~November 2009~~ DRAFT 5747-CCL (new item; currently part of 4800)

After receiving a completed risk analysis, Licensing staff review the written analysis and determine whether Licensing will implement all, some, or none of the recommendations listed in the risk analysis.

Within 10 days of receiving the completed risk analysis, the requestor or designee emails a completed [Form 1900](http://intranet.dfps.state.tx.us/Application/Forms/showFile.aspx?Name=1900.doc) PMU Risk Analysis Feedback to the DFPS CCL RA\_ARIF Requests mailbox.

Within 30 days of receiving the completed risk analysis, the Licensing supervisor or his or her designee documents the following in a *Chronology* in the operation’s CLASS record:

a. The date Licensing staff reviewed the analysis

b. If Licensing staff have chosen to follow the recommendations or have chosen alternate actions

c. A description of what actions Licensing staff have chosen

d. The rationale for the actions that were chosen