**Licensing Policy and Procedures**

**Handbook Revision \_\_**

This revision of the Licensing Policy and Procedures Handbook was published on \_\_\_\_. Summaries of new or revised items are provided below.

For Licensing revisions only: Immediately following signoff, Licensing staff will prepare a highlighted document showing significant changes that we will post with the revision memo.

Revisions to Follow-Up Policy and Procedure

The items below are revised to clarify that Licensing staff must follow up with an operation by asking if all records are now in compliance, not just the ones that were selected for review and found to be deficient. In addition, LPPH 4311 is being revised to indicate a follow-up inspection would not be needed if Licensing staff cited the operation for an overdue annual fire inspection and compliance could be verified by other means.

Display of Revisions with Changes Highlighted (Word Document)

See:

4310 How to Conduct a Follow-Up With an Operation

4311 When a Follow-Up Inspection Is Required

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### 4310 How to Conduct a Follow-Up With an Operation

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Policy

When conducting a follow-up with an operation, Licensing staff:

• ask if all records are now in compliance -- emphasize all records, not just those that were the subjects of the deficiencies; and

• ask the person in charge of the operation to identify records that have not been corrected.

Corrections of deficiencies that do not endanger the health or safety of children may be documented by mail, fax, or email within 15 days after the latest compliance date has passed.

The documentation submitted by the operation must include proof of the correction, such as an invoice, photograph, or work order. Staff document the results of the follow-up in the CLASS system. See: [4311.1](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_4300.asp#LPPH_4311_1) Documenting Follow-Up Inspections and [4312.1](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_4300.asp#LPPH_4312_1) Documenting Follow-Ups When an Inspection Is Not Required.

#### 4311 When a Follow-Up Inspection Is Required

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Procedure

Licensing staff conduct a follow-up inspection within 15 days after the earliest compliance date when the deficiency cited relates to:

a. the child/caregiver ratio;

b. the capacity;

c. supervision;

d. discipline and guidance;

e. fire safety (unless it is only to verify an annual fire inspection);

f. transportation;

g. pools;

h. the physical plant, both indoors and outdoors, taking into consideration the scope and severity as well as the weight of the deficiency; or

i. any other requirement, when compliance cannot be substantially determined by other means (such as a photograph, invoice, or work order).

Licensing also conducts follow-up inspections within 15 days after the earliest compliance date to:

• determine whether an operation is complying with the requirements of an amended inspection; or

• follow-up on the conditions of a waiver, a variance, or an approved risk evaluation.

Exceptions to the 15-day time frame require supervisory approval (see [4320](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_4300.asp#LPPH_4320) Exceptions to Time Frames for Completing a Follow-Up With an Operation).

If Licensing staff determine that an operation is not in compliance, staff follow the procedures explained in [4313](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_4300.asp#LPPH_4313) When an Operation Continues to Be Deficient.

See:

[4152](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_4000.asp#LPPH_4152) Reviewing Restrictions and Conditions

[4313](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_4300.asp#LPPH_4313) When an Operation Continues to Be Deficient

[4322](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_4300.asp#LPPH_4322) Granting an Operation Additional Time to Comply With a Requirement Cited as a Deficiency

[4510](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_4300.asp#LPPH_4510) The CLASS Risk Review and Enforcement Recommendations

[5120](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_5000.asp#LPPH_5120) Setting and Monitoring Conditions for the Waiver or Variance

[5370](http://www.dfps.state.tx.us/handbooks/Licensing/Files/LPPH_pg_5300.asp#LPPH_5370) Risk Evaluation of Criminal History or Findings of Abuse or Neglect