

General Residential Operation and Residential Treatment Center

Rules Evaluated Prior to Issuing an Initial License to a Non-Operating Facility

Facility Name: _____ Date: _____

Rule Number	Brief Description	Comply	Deficiency	N/A
Organization and Administration				
748.101(1)	Permit holder responsibilities—Ensure operation is legally established to operate in Texas and complies with all applicable statutes			
748.101(3)	Permit holder responsibilities—Establish governing body responsible for, and has authority over, operation's policies and activities			
748.101(4)	Permit holder responsibilities—Establish policies that clearly state the responsibilities of the governing body			
748.103(1)	Permit holder responsibilities—Designate a qualified full-time child-care administrator			
748.103(9)	Permit holder responsibilities—Maintain liability insurance as required by HRC 42.049			
748.103(12)	Permit holder responsibilities—Ensure no governing body member, executive committee, management staff, or employee is a sustained controlling person			
748.105(1)	Personnel policies—Develop a written organizational chart showing administrative/professional/staffing structures and lines of authority			
748.105(2)	Personnel policies—Develop written job descriptions including minimum qualifications and job responsibilities for each position			
748.105(3)	Personnel policies—Develop written policies on the training requirements for employees			
748.105(4)	Personnel policies—Develop written policies on whether caregivers may take children away for day/overnight visits, ensure policy meets requirements			
748.105(5)	Personnel policies—Ensure that personnel policies comply with background check requirements			
748.105(6)	Personnel policies—Ensure employees report suspected abuse/neglect and exploitation			
748.105(7)	Personnel policies—Persons working with a child and others with access to information about a child must be informed in writing of confidentiality			
748.105(8)	Personnel policies—Drug testing policy meets or exceeds DFPS' model policy in §745.4151			
748.107	Conflict of interest policies—Code of conduct on the relationship between employees, contractors, children, families; ensure certain requirements			
748.131(1)	Governing body responsibilities—Ensuring the operation remains fiscally sound			
748.131(2)	Governing body responsibilities—Overseeing and ensuring the management of the operation's services and programs are in compliance with policies			
748.131(3)	Governing body responsibilities—Approving and having authority over the operation's operational policies and activities			
748.131(4)	Governing body responsibilities—Complying with the law and rules			
748.131(5)	Governing body responsibilities—Ensuring that certain persons do not comprise a majority of the voting members of the governing body			
748.131(6)	Governing body responsibilities—Carrying out governing body responsibilities assigned in the policies and procedures			
748.161(1)	Specific fiscal requirements—Submit with application for new permit a written 12-month budget showing income and expenses			
748.161(2)	Specific fiscal requirements—Submit with application proof of reserve funds/available credit equal to operating costs for first 3 months operation			
748.161(3)	Specific fiscal requirements—Have predictable funds sufficient for the first year of operation			
748.191(2)	Required Postings—Post Licensing notice <i>Keeping Children Safe</i> in a			

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	prominent and publicly accessible place where others may view it at all times			
748.191(3)	Required Postings—Post emergency evacuation and relocation plans in each building and living quarters used by children where all may view them			
748.191(4)	Required Postings—Post a general daily schedule for routine activities for children in a prominent/publicly accessible place easily viewed by others			
748.233(a)(1)	Admission policies—Include a program statement that describes program's goals, services provided, and population of children served by the program			
748.233(a)(2)	Admission policies—Describe the specific characteristics of children the program serves, such as the age range, gender, and needs of children			
748.233(a)(3)	Admission policies—Indicate whether the operation will admit children on an emergency basis			
748.233(b)	Admission policies—Programs providing treatment services have policies describing the range of needs/disorders the program is designed to treat			
748.235(1)	Child-care policies—Describe visitation rights between the child and family members and the child and friends			
748.235(2)	Child-care policies—Describe child's rights to correspond by mail with family/friends and policies regarding mail restrictions and electronic mail			
748.235(3)	Child-care policies—Describe the child's rights to correspond by telephone with family members and friends			
748.235(4)	Child-care policies—Describe the child's rights to receive and give gifts, including any restrictions on gifts			
748.235(5)	Child-care policies—Describe what personal possessions a child is or is not allowed to have			
748.235(6)	Child-care policies—Describe emergency behavior intervention techniques permitted or if none is permitted, a policy disallowing its use			
748.235(7)	Child-care policies—Describe discipline policies including techniques/methods that ensure appropriate discipline techniques are used with a child			
748.235(7)(A)	Discipline policies and procedures—Guide employees in methods used for discipline of a child			
748.235(7)(B)	Discipline policies and procedures—Include measures for positive responses to appropriate behavior			
748.235(7)(C)	Discipline policies and procedures—Clearly indicate that discipline of any type is inappropriate and not permitted for infants			
748.235(7)(D)	Discipline policies and procedures—Emphasize the importance of nurturing behavior, stimulation, and promptly meeting the child's needs			
748.235(8)	Child-care policies—Describe religious program or activity offered, including whether children are required to participate in religious activities			
748.235(9)	Child-care policies—Transitional living policies, if program is offered			
748.235(10)	Child-care policies—Describe plans for meeting the educational needs of each child, include if you offer a program and required participation			
748.235(11)	Child-care policies—Describe when trips with caregivers away from the home are allowed and what protocols will be used			
748.235(12)	Child-care policies—Describe the program expectations and rules that apply to all children			
748.235(13)	Child-care policies—Describe child grievance procedures			
748.235(14)	Child-care policies—Describe the types and frequency of reports to parents			
748.235(15)	Child-care policies—Describe procedures for routine and emergency diagnosis and treatment of medical and dental problems			
748.235(16)	Child-care policies—Describe routine health care relating to pregnancy and childbirth, if you admit and/or care for a pregnant child			

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748.235(17)	Child-care policies—Describe plan for providing health-care services to a child with primary medical needs			
748.235(18)	Child-care policies—Describe policy relating to use of weapons, firearms, explosive materials, and projectiles, if applicable			
748.235(19)	Child-care policies— Written plans/procedures for handling disasters/emergencies; employees must know action to take; copy available for Licensing			
748.237(1)	Behavior intervention policies—Include a complete description of emergency behavior interventions that caregivers are permitted to use			
748.237(2)	Behavior intervention policies—Include the specific techniques that caregivers can use			
748.237(3)	Behavior intervention policies—Include qualifications for caregivers who use it, evaluation to determine qualifications met, and on-going evaluation			
748.237(4)	Behavior intervention policies—Include requirements for and restrictions on the use of permitted emergency behavior interventions			
748.237(5)(A)	Behavior intervention policies— Post emergency behavior interventions where the children/clients can view them or at admission, provide a copy			
748.237(5)(B)	Behavior intervention policies—During admission, explain and document policies to a child in a manner the child can understand			
748.237(5)(B)(i)	Behavior intervention policies—Explain to the child who can use an emergency behavior intervention and document			
748.237(5)(B)(ii)	Behavior intervention policies—Explain to child actions a caregiver must first attempt to avoid use of emergency behavior intervention and document			
748.237(5)(B)(iii)	Behavior intervention policies—Explain to the child the situations in which emergency behavior intervention may be used and document			
748.237(5)(B)(iv)	Behavior intervention policies—Explain to the child the types of emergency behavior intervention the operation authorizes and document			
748.237(5)(B)(v)	Behavior intervention policies—Explain to the child when the use of an emergency behavior intervention must cease and document			
748.237(5)(B)(vi)	Behavior intervention policies—Explain to the child what action the child must exhibit to be released from the intervention and document			
748.237(5)(B)(vii)	Behavior intervention policies—Explain to the child the way to report an inappropriate emergency behavior intervention and document			
748.237(5)(B)(viii)	Behavior intervention policies—Explain to the child the way to provide voluntary comments on any emergency behavior intervention and document			
748.237(5)(B)(ix)	Behavior intervention policies—Explain to the child the process for submitting written comments on any emergency behavior intervention and document			
748.237(5)(C)	Behavior intervention policies—Include how child’s input is obtained at admission on preferred de-escalation techniques and when it can be revisited			
748.237(6)	Behavior intervention policies—Require caregivers to attempt less restrictive/intrusive measures; use de-escalating interventions to avoid the use			
748.237(7)	Behavior intervention policies—Include description of training curriculum, amount and type by level of caregiver, content, and delivery of training			
748.237(8)(A)	Behavior intervention policies—Prohibit discharge/retaliation of any person for filing a complaint about misuse of behavior intervention			
748.237(8)(B)	Behavior intervention policies—Prohibit discharge/retaliation of client/resident if complaint filed regarding misuse of behavior intervention			
748.239(1)	Volunteer policies— Include volunteer job descriptions and/or responsibilities			

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748.239(2)	Volunteer policies— Address volunteer qualifications, screening and selection procedures, and orientation and training programs			
748.239(3)	Volunteer policies— Address supervision of volunteers			
748.239(4)	Volunteer policies— Address visitation with children in care			
Reports and Recordkeeping				
748.341(a)	Electronic files-Develop procedures that address what must be in the external paper file and what can be in the electronic file			
748.341(c)(1)	Electronic files-Develop security policies that address computer security systems, confidentiality, passwords and employee procedures			
748.341(c)(2)	Electronic files-Develop policies that address requirements for routine back up of data			
748.341(c)(3)	Electronic files-Develop policies that address anti-virus protection systems			
748.435	Record Retention- Procedures for protecting electronic and paper records from loss and unauthorized access			
Personnel				
748.501	Professional staffing plan-Written and implemented			
748.501(1)	Professional staffing plan-Describes number, qualifications, responsibilities of professionals appropriate for the size & scope of services			
748.501(2)	Professional staffing plan-Describes qualifications/responsibilities, authority of professional positions, number hours and/or frequency of services			
748.501(3)	Professional staffing plan-Document staffing patterns			
748.531(1)	Child-care administrator-Meets qualifications established by the operation's governing body			
748.531(2)	Child-care administrator-Licensed according to HRC Chapter 43 and Subchapter N of Chapter 745			
748.531(3)	Child-care administrator-Is full-time employee			
748.533(a)(1)	Child-care administrator-Can be administrator for two operations if both are in good standing with Licensing			
748.533(a)(2)	Child-care administrator-Can be administrator for two operations if the size and scope of the operations are manageable by one person			
748.533(a)(3)	Child-care administrator-Can be administrator for GRO/RTC and CPA if CPA is not managing more than 25 foster homes			
748.533(a)(4)	Child-care administrator-Can be administrator for two operations if the person also holds a valid Child-Placing facility Administrator License (as needed)			
748.533(a)(5)	Child-care administrator –Can be administrator for two operations if the GRO and/or RTC are contiguous			
Children's Rights				
748.1105(1)	Personal Care—Reasonable opportunities to select his clothing as outlined in the operation's policies			
748.1105(2)	Personal Care—Appropriate equipment and supplies for personal care, hygiene, and grooming			
748.1107(a)(1)	Child Rights parent contact—Allow contact between a child and his parent according to your policies			
Admission, Service Planning, Discharge				
748.1203(a)	Admission—Children who meet admission policy and whose needs can be met may be admitted			
748.1203(a)(1)	Admission—Operation may only accept the maximum number of children specified on the permit			
748.1203(a)(2)	Admission—Operation may only accept children whose age & gender are specified on the permit			
748.1203(a)(3)	Admission—Operation may only accept children needing the types of services that are specified on the permit			

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748.1211(b)(2)(A)	Parent Orientation—Must review & provide written materials on use of volunteers or sponsoring families			
748.1211(b)(2)(B)	Parent Orientation—Must review & provide written materials on type & frequency of notifications made to parents			
748.1211(b)(2)(C)	Parent Orientation—Must review & provide written materials on involvement of child in any publicity and/or fund raising activity for operation			
748.1211(b)(3)(A)	Parent Orientation—Review & provide written materials on parent's right to refuse/withdraw consent for child to participate in research programs			
748.1211(b)(3)(B)	Parent Orientation—Must review/provide written info on parent's right to refuse/withdraw consent for child's participation in publicity/fund raising			
748.1305(1)	Parent Orientation—If you have an educational program, discuss and provide written material that includes the name of the educational program			
748.1305(2)	Parent Orientation—If you have an educational program, discuss and provide written material that includes whether the program is accredited			
748.1305(3)	Parent Orientation—If you have an educational program, discuss and provide written material that includes whether the program is TEA approved			
748.1305(4)	Parent Orientation—If you have an educational program, discuss/provide written material that includes whether work is transferable to public school			
748.1305(5)	Parent Orientation—If you have an educational program, discuss and provide written material that includes teacher credentials			
748.1481(b)(1)	Release of Child—All employees & service providers instructed to follow policies for releasing a child			
Child Care, Dental and Medical				
748.1661(a)	Children may not use or possess tobacco products			
748.1661(b)	An adult may not smoke tobacco products in the children's living quarters or inside any building on your premises where children are present			
748.1661(c)	An adult may only smoke tobacco products on your premises at a safe distance from the children's living quarters			
748.1661(d)	No one may smoke tobacco products in motor vehicles when transporting children			
748.1743(d)	Care requirements for infants- caregiver must ensure that the environment is safe			
748.1745(5)	Diaper changing- keep all diaper-changing supplies out of children's reach			
748.1749(1)	Infant care furnishing and equipment- an individual crib for each infant			
748.1749(2)	Infant care furnishing and equipment- a sufficient number of toys to keep each child engaged in activities			
748.1751(a)(1)	Crib requirements- firm, flat mattress that snugly fits the sides of the crib			
748.1751(a)(2)	Crib requirements- sheets that fit snugly and do not present an entanglement hazard			
748.1751(a)(3)	Crib requirements- waterproof or washable mattress			
748.1751(a)(4)	Crib requirements- secure mattress support hangers, and no loose hardware or improperly installed or damaged parts			
748.1751(a)(5)	Crib requirements- a maximum of 2 3/8 inches between crib slats or poles			
748.1751(a)(6)	Crib requirements- no corner posts over 1/16 inch above the end panels			
748.1751(a)(7)	Crib requirements- no cutout areas in the headboard or footboard that would entrap a child's head or body			
748.1751(a)(8)	Crib requirements- drop rails fasten securely and cannot be opened by a child			
748.1751(d)	Crib requirements- may not have stackable cribs			
748.1753(a)(2)(A)	Crib requirements- may use a full-size, portable, or mesh-side crib if mesh is securely attached to top rail, side rail, and floor plate			

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748.1753(a)(2)(B)	Crib requirements- may use a full-size, portable, or mesh-side crib if folded sides securely latch in place when raised			
748.1755(1)	Safety straps must be used with a high chair, swing, stroller, infant carrier, rocker, bouncer seat, or a similar type of equipment			
748.1757(a)(1)	Prohibited equipment for infants- Must not use baby walkers			
748.1757(a)(2)	Prohibited equipment for infants- Must not use baby bungee jumpers			
748.1757(a)(3)	Prohibited equipment for infants- Must not use accordion safety gates			
748.1757(a)(4)	Prohibited equipment for infants- Must not use toys that are small enough to swallow or choke a child			
748.1757(b)	Prohibited equipment for infants- Children may not sleep on beanbags, waterbeds, or foam pads			
748.1757(c)	Prohibited equipment for infants-No soft bedding, stuffed toys, quilts, pillows, bumper pads, comforters in crib for infants 6 months old or less			
748.1791(b)	Basic care requirements for a toddler- caregiver must ensure that the environment is safe			
748.1793(1)	Furnishings and equipment for toddlers- must use age-appropriate seating, tables, and nap and sleep equipment			
748.1793(2)	Furnishings and equipment for toddlers- must have enough popular items available, so toddler is not forced to compete for them			
748.1793(3)	Furnishings and equipment for toddlers- must have containers or low shelving, so items are accessible to children			
748.1823(1)	Pregnant child- health-care professional must document whether any type of emergency behavior intervention is inadvisable			
748.1823(2)	Pregnant child- may not use any emergency behavior intervention that the child's health-care professional finds inadvisable			
748.1825(1)	Adolescent parents with their child(ren)- adolescent parent must provide most of the care for her child			
748.1825(2)	Adolescent parents with their child(ren)- caregivers must be available to the adolescent parent as a resource and support			
748.1825(3)	Adolescent parents with their child(ren)- caring for an adolescent's child in the parent's absence, must be as if the child is in your care			
Providing Care to Children and Adults				
748.1941(1)	Care for adults—If adult resident is responsible for his medication, operation must establish written safeguards			
Emergency Behavior Intervention				
748.2451(a)(1)	Emergency Behavior Intervention—If policies permit and requirements of this subchapter are met, you may use short personal restraint			
748.2451(a)(2)	Emergency Behavior Intervention—If policies permit and requirements of this subchapter are met, you may use personal restraint			
748.2451(a)(3)	Emergency Behavior Intervention—If policies permit and requirements of this subchapter are met, you may use emergency medication			
748.2451(a)(4)(A)	Seclusion—Only for child with ED or PDD when 25+ children with ED or PDD or >30% of children with ED or PDD; not allowed for child in therapeutic camp			
748.2451(a)(4)(B)	Seclusion—Only permitted if you provide emergency care services to child and only while waiting for law enforcement or emergency medical services			
748.2451(a)(5)	Mechanical restraint—Only permitted if you have a Residential Treatment Center permit			
748.2451(b)	Emergency Behavior Intervention—Never administer chemical restraints			
748.2651(b)	Seclusion—Must be a protected, private, and observable environment or room that safeguards the child's personal dignity and well-being			
748.2651(b)(1)	Seclusion—Room must have 40 square-feet of floor space and a ceiling height of at least 8 feet			

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748.2651(b)(2)	Seclusion—Room must be free of safety hazards			
748.2651(b)(3)	Seclusion—Room must be adequately ventilated during warm weather and adequately heated during cold weather			
748.2651(b)(4)	Seclusion—Room must be appropriately lighted			
748.2651(b)(5)	Seclusion—Room must have a mat and bedding, unless prescribing professional writes orders to the contrary			
748.2751(a)(1)	Successive Interventions—Caregiver may successively use emergency behavior interventions on a child only if allowed by your policies			
748.2753(a)(1)	Simultaneous Interventions—May use emergency medication with personal restraint or seclusion only if allowed by your policies			
748.2755(a)(1)	Simultaneous Interventions—May use emergency medication with mechanical restraint only if allowed by your policies			
Safety Practices				
748.3001(a)	Sanitation Inspection—State or local sanitation official must conduct a sanitation inspection			
748.3001(a)(1)	Sanitation Inspection—Sanitation official must conduct a sanitation inspection before we issue initial permit			
748.3003	Sanitation Inspection—Must keep most recent sanitation inspection report at operation; report must include name & phone number of inspector			
748.3005	Sanitation Inspection—Must correct deficiencies & comply with corrections, restrictions, or conditions that sanitation inspector specifies			
748.3013	Food Preparation—Sinks used for food service or food preparation must be supplied with hot and cold running water under pressure			
748.3017(a)(3)	Animals—Allowed if operation has documentation at operation showing dogs, cats, & ferrets are vaccinated as required by Texas Health and Safety Code			
748.3017(a)(4)	Animals—Allowed if all animals on premises are treated according to vet's recommendations and animals do not pose health problem/risk for children			
748.3017(b)	Animals—For therapeutic camp services, operation must house animals at reasonable distance from sleeping, living, eating, or food preparation areas			
748.3019(c)	Pest Control—For therapeutic camp services, must maintain vector control program to control insects & rodents in buildings & at permanent camps			
748.3021	Tools—Dangerous tools & equipment stored so they are inaccessible to children; children use these with caregiver supervision as appropriate			
748.3061(1)	Gas Inspection—Operation inspected before initial permit issued			
748.3063(a)	Gas Inspection—If operation uses natural gas, licensed plumber or gas company official must conduct gas leak inspection			
748.3063(b)	Gas Inspection—If operation uses LP gas, operation must have LP-gas system inspected for proper installation and leaks			
748.3063(b)(1)	Gas Inspection—LP-gas system inspected by licensed LP-gas servicing company			
748.3063(b)(2)	Gas Inspection— LP-gas system inspected by licensed plumber who is also licensed with LP-gas section of Texas Railroad Commission			
748.3065(a)	Gas Inspection—Gas inspection report must show operation's gas system is free of leaks, must include inspection date & inspector name, phone number			
748.3065(b)	Gas Inspection—Must keep most recent inspection report at operation to verify inspection date & findings			
748.3065(c)	Gas Inspection—Must comply with all corrections, conditions, restrictions specified in gas inspection report within timeframes specified			
748.3101(1)	Fire Inspection—Must have fire inspection before initial permit issued			
748.3103(a)	Fire Inspection—State or local fire inspector must conduct fire inspection			

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748.3103(b)	Fire Inspection—If an inspector cannot conduct fire inspection, provide documentation of this from state/ local fire inspector or county judge			
748.3105(a)	Fire Inspection—Must keep most recent fire inspection report at operation; report must include inspector's name and phone number			
748.3105(b)	Fire Inspection—Must comply with local code & all corrections, restrictions, or conditions specified by inspector in fire inspection report			
748.3107(a)	Smoke Detector—Must have an operable smoke-detection system that is audible throughout building			
748.3107(a)(2)	Smoke Detector— Smoke-detection system may be electric or battery-operated smoke detectors located as recommended by state or local fire inspector			
748.3107(a)(2)(A)	Smoke Detector—If no fire inspector available to give location recommendations, smoke detectors located in hallways/open areas outside bedrooms			
748.3107(a)(2)(B)	Smoke Detector—If no fire inspector available to give location recommendations, smoke detectors located on each level of building w/ multiple levels			
748.3107(c)	Smoke Detector—Must have smoke detectors that get power from permanent building wiring from a commercial source			
748.3107(c)(1)	Smoke Detector—Must be equipped with battery back-up			
748.3107(c)(2)	Smoke Detector—Must emit signal when batteries are low			
748.3109(a)	Smoke Detector—Smoke detectors installed & maintained according to manufacturer's instructions or in compliance with fire inspector's instructions			
748.3113(a)	Fire Extinguisher—Must have a fire-extinguishing system, which may be sprinkler system and/or fire extinguishers			
748.3113(b)	Fire Extinguisher—Fire inspector must approve sprinkler system/fire extinguishers; if inspector not available, one 3A:40BC extinguisher required			
748.3115(2)	Fire Extinguisher—Must ensure fire extinguishers are accessible for immediate use by employees, caregivers, & volunteers			
748.3117(b)	Fire Extinguisher—Must keep documentation of annual inspection and/or purchase of new fire extinguishers at operation for review			
748.3161(a)	Heating Devices—Gas appliances must have metal tubing and connections, be in good repair, be free from leaks			
748.3161(b)	Heating Devices—Space heaters must be enclosed & have seal of approval of a US test laboratory or approved by state/local fire inspector			
748.3161(c)	Heating Devices—Must safeguard floor/wall furnace grates, steam/hot water pipes & electric space heaters so children do not have access to them			
748.3161(d)	Heating Devices—Gas fuel heaters, fireplaces, & wood-burning stoves must be properly vented to outside			
748.3161(e)	Heating Devices—Screen/guard to prevent children falling into fire or against stove/heater installed for fireplace, wood-burning stove, space heater			
748.3161(f)	Heating Devices—Must keep fireplaces & wood-burning stoves clean			
748.3161(g)(1)	Heating Devices—May not use stoves, including portable camp stoves, to heat any part of operation			
748.3161(g)(2)	Heating Devices—May not use open flame heaters (heaters where flame can be easily touched or accessed)			
748.3161(g)(3)	Heating Devices—May not use liquid fuel heaters			
748.3191	Carbon Monoxide—Must have operable carbon monoxide detector-system if operation has gas appliances			
748.3191(1)	Carbon Monoxide—Carbon monoxide detection system may be an electronic carbon monoxide detector-system			
748.3191(2)	Carbon Monoxide—Carbon monoxide detection system may be individual electric or battery-operated carbon monoxide detectors			

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748.3193(a)	Carbon Monoxide—Must install carbon monoxide detectors that meet UL-Listed requirements			
748.3193(a)(1)	Carbon Monoxide—Must install carbon monoxide detectors according to manufacturer's specifications for proper location and installation			
748.3193(a)(2)	Carbon Monoxide—Furniture, draperies, or other items must not cover up detectors			
748.3193(b)	Carbon Monoxide—Electronic carbon monoxide detection-system must be installed according to state or local fire inspector's requirements			
748.3195	Carbon Monoxide—Must maintain electric or battery-operated carbon monoxide detectors in compliance with manufacturer's instructions			
748.3231(b)(1)	Evacuation—Plan requires person in charge during emergency to designate an employee to call the fire dept in case of fire, explosion, toxic fumes			
748.3231(b)(2)	Evacuation—Plan requires person in charge during emergency to make an employee responsible for securing medical consents & medications			
748.3231(b)(3)	Evacuation—Plan must require person in charge during emergency to, once he is at designated safe area, account for all children at operation			
748.3231(b)(4)	Evacuation— Plan must require person in charge during emergency to ensure that no one uses elevators during a fire			
748.3233(a)	Evacuation—Must have written emergency evacuation & relocation diagram specifying directions for egress on file at operation			
748.3233(b)(1)	Evacuation—Emergency evacuation & relocation diagram must include a floor plan of the operation			
748.3233(b)(2)	Evacuation—Emergency evacuation & relocation diagram must include designated location outside operation where all caregivers & children meet			
748.3233(b)(3)	Evacuation—Emergency evacuation & relocation diagram must include designated location inside operation to take shelter from threatening weather			
748.3233(b)(4)	Evacuation—Emergency evacuation & relocation diagram must include at least two exit routes			
748.3233(b)(4)(A)	Evacuation—Emergency evacuation & relocation diagram includes at least 2 exit routes that are located in distant parts of building & lead to outside			
748.3233(b)(4)(B)	Evacuation—Emergency evacuation & relocation diagram includes at least 2 exit routes that are not blocked in any way			
748.3233(b)(4)(C)	Evacuation—Emergency evacuation & relocation diagram includes at least 2 exit routes that are not through a kitchen or other hazardous area			
748.3233(b)(4)(D)	Evacuation—Emergency evacuation & relocation diagram includes 2 exit routes that aren't windows, unless you can exit through window safely & quickly			
748.3233(b)(4)(E)	Evacuation—Emergency evacuation & relocation diagram includes 2 exit routes that are not doors or windows that require key to open from inside			
748.3233(b)(4)(F)	Evacuation— Emergency evacuation & relocation diagram includes at least 2 exit routes that do not lead into a pool area			
748.3233(b)(4)(G)	Evacuation—Emergency evacuation/relocation diagram includes 2 exit routes that above ground level don't require ladders/folding stairs/trap doors			
748.3235	Evacuation—Must post the emergency evacuation & relocation diagram in a prominent/visible location in all buildings			
748.3237(a)	Safety Practices—Closet door latches must allow children to open door from inside of closet			
748.3237(b)	Safety Practices—Must have operable source of emergency lighting approved by fire inspector, or battery-powered lighting			
748.3237(c)	Safety Practices—Children must be able to open emergency exit doors easily from inside, unless written approval on file from fire inspector			
748.3271	First Aid Kits—All separate living areas & buildings must have first-aid kit available; first-aid kit must be available for field trips			

Additional Rules May Be Evaluated Based on the Facility or Services Offered

General Residential Operation and Residential Treatment Center
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Facility Name: _____ **Date:** _____

Rule Number	Brief Description	Comply	Deficiency	N/A
748.3271(1)	First Aid Kits—Each one must be clearly labeled			
748.3271(2)	First Aid Kits—Each one must be kept in a clean and sanitary condition			
748.3271(3)	First Aid Kits—Each one must be in good condition and not have expired medications or supplies			
748.3271(4)	First Aid Kits—Each one must be easily accessible to all employees			
748.3271(5)	First Aid Kits—Each one must be stored in a designated location known to all employees			
748.3271(6)	First Aid Kits—Each one must be kept out of the reach of children			
748.3273(1)	First Aid Kits—Each one must contain a current guide to first aid and emergency care			
748.3273(2)	First Aid Kits—Each one must contain adhesive tape			
748.3273(3)	First Aid Kits—Each one must contain antiseptic solution or wipes			
748.3273(4)	First Aid Kits—Each one must contain cotton balls			
748.3273(5)	First Aid Kits—Each one must contain multi-size adhesive bandages			
748.3273(6)	First Aid Kits—Each one must contain scissors			
748.3273(7)	First Aid Kits—Each one must contain sterile gauze pads			
748.3273(8)	First Aid Kits—Each one must contain thermometer			
748.3273(9)	First Aid Kits—Each one must contain tweezers			
748.3273(10)	First Aid Kits—Each one must contain waterproof, disposable gloves			
Physical Site				
748.3301(a)	Physical Site—Buildings must be structurally sound, clean, and in good repair; paints must be lead-free			
748.3301(b)	Physical Site —Buildings must comply with applicable building, plumbing, electrical, fire, and similar codes			
748.3301(c)	Physical Site —Windows & doors must be in good repair & free of broken glass or hazards			
748.3301(d)	Physical Site —Walkways must be free of ice, snow, and obstruction			
748.3301(e)	Physical Site —Outdoor areas must be well drained			
748.3301(f)	Physical Site —Grounds of the operation must be well maintained and free of hazards			
748.3301(g)	Physical Site —Grounds must be free of garbage & debris & maintained in a sanitary manner			
748.3301(h)	Physical Site —Building must be free of rodents and insects			
748.3301(i)	Physical Site —Equipment and furniture must be safe for children and must be kept clean and in good repair			
748.3303	Physical Site— Living quarters, recreation & dining areas, bathrooms, bedrooms, & kitchens must be adequately ventilated			
748.3305(a)	Physical Site-Each ramp, stairway, & steps exceeding 2 steps must have a well-secured handrail; stairs must have a minimum width of 36 inches			
748.3305(b)	Physical Site— Each porch or deck that has over an 18-inch drop must have a well-secured railing			
748.3305(c)	Physical Site— If a door opens directly to a stairway, door must be a minimum of 34 inches wide and meet landing requirements			
748.3307(a)	Physical Site— All living quarters must be provided with electric services			
748.3307(b)(1)	Physical Site— Habitable rooms must be lighted to avoid accidents			
748.3307(b)(2)	Physical Site— Common use rooms, such as dining rooms, living rooms, laundry rooms, and gymnasiums must be lighted to avoid accidents			
748.3307(b)(3)	Physical Site— Bathrooms must be lighted to avoid accidents			
748.3307(b)(4)	Physical Site— Hallways must be lighted to avoid accidents			
748.3307(b)(5)	Physical Site— Interior stairs must be lighted to avoid accidents			
748.3307(b)(6)	Physical Site— Outside steps and doorways must be lighted to avoid accidents			

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Rule Number	Brief Description	Comply	Deficiency	N/A
748.3307(b)(7)	Physical Site— Porches must be lighted to avoid accidents			
748.3307(b)(8)	Physical Site— Ramps must be lighted to avoid accidents			
748.3307(b)(9)	Physical Site— Fire escapes must be lighted to avoid accidents			
748.3307(c)	Physical Site—Propane, kerosene, or other flammable fuel cannot be used as a light source			
748.3309(1)	Communication— An operable telephone with an outside line, accessible to employees, with listed number, and not coin-operated			
748.3309(2)	Communication— Communication system to allow employees to contact other employees in the operation for assistance in an emergency or as needed			
748.3313(1)	Water—Maintain the water supply in a safe and sanitary manner			
748.3313 (2)	Water—Maintain written records indicating a private water supply meets the requirements of the Texas Commission on Environmental Quality			
748.3315	Water—A thermostat must control the temperature of hot water accessible to children, so the water temperature is no higher than 120 degrees Fahrenheit			
748.3317	Water—Septic system for sewage disposal must be sanitary and meet Texas Commission on Environmental Quality standards including required inspections			
748.3351(1)	Interior Space—Provide a sketch of the operation's floor plan showing the dimensions & the purpose of rooms & where persons will sleep			
748.3351(2)	Interior Space—Provide living space, appropriate furnishings, and bathroom facilities that are safe, clean, and maintained in good repair			
748.3351(3)	Interior Space—Provide personal storage space in the child's bedroom for each child's clothing and belongings			
748.3351(4)	Interior Space—Provide 40 square feet per child, including adult residents & children of caregivers residing at the operation of indoor activity space			
748.3351(5)	Interior Space—Provide bedrooms with at least one window with outside exposure to natural light			
748.3351(6)	Interior Space—Provide bedroom windows with curtains, blinds, shades, or other provisions for rest and privacy			
748.3357(a)	Space—Floor space does not include closets or other alcoves and may not be averaged			
748.3357(b)	Space—Must provide comfortable sleeping arrangements			
748.3357(b)(1)	Space—Provide a single occupancy bedroom with at least 80 square feet of floor space			
748.3357(b)(2)	Space—Provide bedroom with at least 60 square feet of space for each occupant & no more than 4 occupants per bedroom unless meet certain exemptions			
748.3359(1)	Space—Rooms commonly used for other purposes cannot be used as bedrooms			
748.3359(2)	Space—Rooms that are passageways to other rooms cannot be used as bedrooms			
748.3359(3)	Space—Basements cannot be used as bedrooms unless you meet certain exemptions			
748.3365(a)(1)	Bedding—Must provide each child with an individual bed or bunk bed, or crib as appropriate			
748.3365(a)(2)	Bedding—Must provide each child with an individual clean and comfortable mattress			
748.3365(a)(3)	Bedding—Must provide each child with an individual a mattress cover or protector or mattress that is waterproof or washable			
748.3365(a)(4)	Bedding—Must provide each child with individual pillow/bed linens appropriate for temperature including pillowcase top sheet, fitted or bottom sheet			

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Rule Number	Brief Description	Comply	Deficiency	N/A
748.3365(a)(5)	Bedding— Must provide each child with extra linens as needed for the child's warmth and comfort			
748.3365(b)	Bedding—Laundry facilities supplied with hot/cold running water under pressure must be provided for children to use if laundry service not provided			
748.3367(1)	Bedding—Triple-deck beds are not allowed			
748.3367(2)	Bedding—Veil beds designed to prohibit a child from leaving the bed are not allowed			
748.3367(3)	Bedding—Beds that have bedrails that can entrap a child are not allowed			
748.3367(4)	Bedding—Cribs not allowed, except for infants/toddlers			
748.3369(a)	Bedding—Bunk bed must only consist of double-deck beds			
748.3369(c)	Bedding—Bunk bed must allow enough space in between beds & ceiling to allow a child to sit up in bed			
748.3369(d)	Bedding—A bunk bed must be equipped with a securely attached ladder capable of supporting the child using the bed and an employee			
748.3369(e)	Bedding—Bunk bed must have attached bedrails & the mattress supports must not be an entrapment hazard			
748.3369(f)	Bedding—Any openings must measure less than 3 1/2 inches or more than nine inches to prevent a child's body or body part from being entrapped			
748.3369(g)	Bedding—Bunk beds must be spaced to provide a walk space on at least one side and one end of the bed			
748.3391(a)	Bathrooms—Must be kept clean & in good repair			
748.3391(b)	Bathrooms—Must provide bathrooms located on the same floor as the child's bedroom and not have to exit the building to access the bathroom			
748.3391(c)	Bathrooms—Child must not have to cross a common use room to access a bathroom from the child's bedroom unless exemptions met			
748.3391(d)	Bathrooms—Each bathroom or room with a lock must be able to be unlocked from the outside during an emergency			
748.3393(a)	Toilets—The operation must dispose of wastewater into a sanitary sewage system or an approved septic system in accordance with TCEQ			
748.3393(b)(1)	Toilets-Provide 1 toilet for every 8 children w/ individual privacy, including doors to individual toilet stalls			
748.3393(b)(2)	Toilets—Provide separate toilet facilities for males and females			
748.3393(c)	Toilets—The toilet facilities for each gender must be distinctly marked when located in the same building			
748.3393(c)(2)	Toilets—The toilet facilities for each gender must be separated by a solid wall from floor to ceiling when located in the same building			
748.3393(d)	Toilets—Toilets equipped with toilet paper at all times			
748.3393(e)	Toilets—Toilet facilities must meet the handicap accessibility standards according to the American with Disabilities Act			
748.3393(f)	Toilets—Urinals may be substituted for toilets for the males on a ratio of 1 urinal or 24 inches of trough-type urinal for 1 toilet			
748.3395(a)	Hand-washing—Must maintain hand-washing sinks in good repair and kept clean at all times			
748.3395(b)(1)	Hand-washing—Provide at least one hand-washing sink for every 8 children			
748.3395(b)(2)	Hand-washing—Provide a hand-washing sink adjacent to toilet facilities			
748.3395(b)(3)	Hand-washing—Provide hand-washing sinks with hot & cold running water under sufficient pressure to meet the demands of children			
748.3395(b)(4)	Hand-washing—Provide hand-washing sinks equipped with soap & a personal towel, single-use disposable towels, or hot air hand dryers			
748.3397(a)	Bathing—Bath & shower areas must provide for individual privacy			
748.3397(b)(1)	Bathing—Provide at least 1 bathtub or shower for every 8 females and 1 for every 8 males			
748.3397(b)(2)	Bathing—Provide separate shower and bath facilities for each gender			

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Rule Number	Brief Description	Comply	Deficiency	N/A
748.3397(c)(1)	Bathing—Common-use shower facilities for each gender located in the same building must be distinctly marked for each gender			
748.3397(c)(2)	Bathing— Common-use shower facilities for each gender located in same building must be separated by solid wall from the floor to ceiling			
748.3397(d)(1)	Bathing—Provide hot & cold running water under sufficient pressure to meet the demands of children			
748.3397(d)(2)	Bathing—Provide sufficient hot water to meet the demands of the children			
748.3421(1)	Poisons—The operation must ensure that poisonous or flammable materials are stored in their original, labeled containers			
748.3421(2)	Poisons— The operation must ensure that poisonous or flammable materials are kept separate from medication, food, food prep and dining surfaces			
748.3421(3)	Poisons—Ensure poisonous or flammable materials are inaccessible to children unless child has been evaluated as capable & likely to use responsibly			
748.3441(c)	Food Preparation—Must keep furniture, equipment, surfaces & other areas where food is prepared, eaten or stored clean & in good repair			
748.3441(k)	Food Preparation—Food preparation area must be in a separate space from eating, play, and bathroom areas			
748.3441(p)	Food Preparation—Must maintain hot food at 140 degrees Fahrenheit or above			
748.3441(s)	Food Preparation—Must not permit animals to be in the area of food storage, food preparation, & dining			
748.3443(a)(1)	Food Preparation-Food items covered & stored off floor			
748.3443(a)(2)	Food Preparation-Food items stored on clean surfaces			
748.3443(a)(3)	Food Preparation-Food items protected from contamination			
748.3443(a)(4)	Food Preparation— Food items must be stored in a container that is protected from insects & rodents			
748.3443(b)(1)	Food Preparation—Thermometer in refrigerators & store refrigerated food at 40 degrees Fahrenheit or below			
748.3443(b)(2)	Food Preparation— Thermometer in freezers & store frozen food at 0 degrees Fahrenheit or below			
748.3471	Safety Requirements—Outdoor equipment & supplies used at & away from the operation must be safe for the children as follows			
748.3471(1)	Safety Requirements—Outdoor activity space arranged so caregivers can adequately supervise children			
748.3471(2)	Safety Requirements—Design, scale, & location of the equipment must be appropriate for the body size & ability of the children using the equipment			
748.3471(3)	Safety Requirements—Equipment must not have openings that can entrap a child's body or body part			
748.3471(4)	Safety Requirements—Equipment must not have protrusions or openings that can entangle something around a child's neck or a child's clothing			
748.3471(5)	Safety Requirements—Equipment must be securely anchored according to manufacturer's specifications to prevent collapsing, tipping, sliding, etc.			
748.3471(6)	Safety Requirements-Anchoring devices placed below level of the playing surface to prevent injury			
748.3471(7)	Safety Requirements—Equipment must not have exposed pinch, crush, or shear points			
748.3471(8)	Safety Requirements—Must not install climbing equipment, swings, or slides over asphalt or concrete			
748.3471(9)	Safety Requirements—Outdoor platforms of specified heights and ages of children must be equipped with guardrails			

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Rule Number	Brief Description	Comply	Deficiency	N/A
748.3471(10)	Safety Requirements—The height of the highest play surface or platform cannot be more than 8 feet			
748.3471(11)	Safety Requirements—Stairs & steps on outdoor climbing equipment must have secured handrails on both sides of stairs & steps that children can reach			
748.3473(1)	Safety Requirements—Guardrails and protective barriers must be 29 inches high for pre-kindergarten or younger children			
748.3473(2)	Safety Requirements—Guardrails and protective barriers must be 38 inches high for school-age children			
748.3477(a)	Swings—Swing seats must be constructed of durable, lightweight, rubber or plastic material			
748.3477(b)	Swings—Edges of swing seats must be smooth or rounded & have no protrusions			
748.3477(c)	Swings—Swings must not be attached to a composite play structure			
748.3477(e)(1)	Swings—Tire swings must not be made from heavy truck tires, or tires with exposed steel-belted radials			
748.3477(e)(2)	Swings—Tire swings must not be suspended from a composite play structure or with other swings in the same swing bay			
748.3477(e)(3)	Swings— Tire swings must have drainage holes drilled in the underside of the tire & maintained to facilitate water drainage			
748.3477(e)(4)	Swings— Tire swings must have a minimum 30-inch clearance between the seat of a tire swing & the uprights of the supporting structure			
748.3479(1)	Safety Requirements—Floor surfaces under indoor climbing equipment & platforms over 20 inches high must have unitary surface installed in use zone			
748.3479(2)	Safety Requirements—Stairs/steps on indoor climbing equipment must have handrails on both sides of stairs & steps that the children can reach			
748.3479(3)	Safety Requirements—Stairs & steps on outdoor climbing equipment must have secured handrails on both sides of stairs & steps that children can reach			
748.3521(b)	Use Zone—Other than the equipment itself, the use zone must be free of obstacles that a child could run into or fall on top of			
748.3523(a)	Use Zone—Use zone for stationary equipment, excluding slides, must extend a minimum of 6 feet in all directions from the perimeter of the equipment			
748.3523(b)	Use Zone—Use zones for stationary equipment must not overlap the use zones of any other equipment			
748.3525(a)	Use Zone—The use zone in front of the access and to the sides of a slide must extend a minimum of 6 feet from the perimeter of the equipment			
748.3525(b)	Use Zone—The use zone in front of the exit of a slide must extend a minimum of 6 feet			
748.3525(c)	Use Zone—The use zone in front of the slide exit must not overlap the use zone of any other equipment			
748.3527(a)	Use Zone—The use zone to the front & back of to-fro swings must extend twice the height of the suspending bar to the protective surfacing below			
748.3527(b)	Use Zone—Use zone to front & back of the to-fro swing must not overlap the use zone of any other equipment			
748.3527(c)	Use Zone—Use zone around the sides of the to-fro swing structure must be at least 6 feet & may overlap the use zone of an adjacent swing structure			
748.3529(a)	Use Zone—Must extend in all directions for a distance equal to the height of the suspending bar to the top of the sitting surface, plus 6 feet			
748.3529(b)	Use Zone—The tire swing support structure must be at least 6 feet & may overlap the use zone on the sides of an adjacent swing support structure			

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Rule Number	Brief Description	Comply	Deficiency	N/A
748.3531(a)	Use Zone—Use zone to the front and rear of the bucket swing must extend twice the height from the swing beam to the top of the swing-sitting surface			
748.3531(b)	Use Zone—The use zone specified in subsection (a) of this section must not overlap any other use zone			
748.3531(c)	Use Zone—Sides of the bucket swing structure must be at least 6 feet & may overlap the use zone on the sides of an adjacent swing support structure			
748.3533(a)	Use Zone—The use zone for rotating or rocking equipment on which the child sits must be at least 6 feet from the perimeter when not in use			
748.3533(b)	Use Zone—Rotating or rocking equipment or track rides on which the child stands or rides must be at least 7 feet from the perimeter when not in use			
748.3533(c)	Use Zone—For rocking & rotating equipment must not overlap any other use zone			
748.3561	Protective Surfacing—Must install protective surfacing in use zones identified			
748.3563(a)	Protective Surfacing—Must have loose-fill surfacing material or unitary surfacing material in the use zones			
748.3563(b)	Protective Surfacing—Must not install loose-fill surfacing materials over concrete or asphalt			
748.3563(c)	Protective Surfacing—If loose-fill surfacing materials are used, the operation must install 9 inches or more of uncompressed loose-fill material			
748.3563(d)	Protective Surfacing—Must ensure 9 inches of the loose-fill materials are maintained at all times			
748.3563(e)	Protective Surfacing—Must mark all equipment support posts to indicate the depth at which the loose-fill surfacing material must be maintained			
748.3563(f)	Protective Surfacing—If unitary materials are used, they must be installed & maintained according to manufacturer's specifications			
748.3563(g)	Protective Surfacing—Unitary materials may be installed over concrete or asphalt only if recommended by the manufacturer			
748.3565(a)	Protective Surfacing—Must have manufacturer's test data showing impact rating of unitary surfacing materials & installation/maintenance requirements			
748.3565(b)	Protective Surfacing—Test data documentation must be at operation & available for Licensing review on request			
748.3601(1)	Swimming—At least two life-saving devices must be available, such as a reach pole or buoy			
748.3601(2)	Swimming—One additional life-saving device must be available for each 2,000 square feet of water surface			
748.3601(3)	Swimming—Drain grates, vacuum outlets, & skimmer covers must be in place, in good repair, and unable to be removed without using tools			
748.3601(4)	Swimming—Pool chemicals & pumps must be inaccessible to children			
748.3601(5)	Swimming—Machinery rooms must be locked when any child is present			
748.3601(6)	Swimming—All parts of the swimming pool must be clearly visible			
748.3601(9)	Swimming—Indoor/outdoor areas within 50 feet of the pool must be free of furniture & equipment that a child could use to scale a fence/barrier			
748.3601 (10)	Swimming—Swimming area rules & emergency procedures must be posted at the swimming area & explained to the children			
748.3603(a)	Swimming—The pool at the operation must be built & maintained according to the DSHS standards & any other applicable state or local regulations			
748.3603(c)	Swimming—If the pool is aboveground, it must meet all pool safety requirements & have a barrier that prevents a child's unauthorized access			
748.3603(d)	Swimming—Outdoor pools must be enclosed with a 6-foot fence/wall that prevents children's access to pool			

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Rule Number	Brief Description	Comply	Deficiency	N/A
748.3603(e)	Swimming—Doors, operable windows, or gates of living quarters must not be part of the pool enclosure for outdoor swimming pools			
748.3603(f)	Swimming—Fence gates leading to the outdoor pool area must have self-closing & self-latching hardware at least 60 inches from the ground			
748.3603(g)	Swimming—Fence gates must open outward away from the pool & must not be propped open			
748.3603(h)	Swimming—The space between the ground & the bottom of the fence must not exceed 4 inches			
748.3603(i)	Swimming—When a fence is made of horizontal & vertical slats, the horizontal slats must be located on the swimming pool side of the fence			
748.3603(j)	Swimming—Doors from operation leading to pool area must have lock that can only be opened by an adult			
748.3603(k)	Swimming—Doors & fence gates leading to or through pool area not fire/emergency evacuation exits			
748.3605(a)(1)	Swimming— Wading/splashing pools at the operation must be stored out of children’s reach, when not in use			
748.3607	Swimming—A hot tub must be covered with a locking cover when not in use			
Recreation Activities				
748.3701(b)	Recreation responsibility -must have a written plan for ensuring that a range of indoor & outdoor recreational & leisure opportunities are provided			
748.3891(a)	Trampolines - individual use if it is less than 4 feet in diameter & no more than 12 inches above a properly installed & maintained protective surface			
748.3893(5)	Trampolines - safety pad must cover all portions of the steel frame & springs			
748.3893(6)	Trampolines - surface around the trampoline must have an impact absorbing surface material			
748.3893(9)	Trampolines - must be secured and inaccessible when not in use			
748.3931(1)	Restrictions for weapons, firearms, explosive materials, and projectiles- handguns are not permitted			
748.3931(3)	Restrictions for weapons, firearms, explosive materials, and projectiles- must have policies identifying precautions to ensure no unsupervised access			
748.3937(a)	Archery- archery range must be free from hazards & well marked; no traffic or other activities in the direction of the flight of the arrow			
Transportation				
748.4003(1)(B)	General requirements—When transporting a child the operation must ensure each driver be covered by automobile insurance			
748.4041(a)	Safety restraints—child must be secured in an infant safety seat, booster seat, or seat belt, appropriate to child’s age, height, and weight			
748.4041(b)	Safety restraints—child safety seat systems must meet federal standards set by the National Highway Traffic Safety Administration and be properly secured			
748.4083(b)	Vehicle and maintenance—Each vehicle used must be registered and have a current inspection sticker for the state in which it is registered			
748.4111(b)(1)	Transportation records—Must maintain the insurance verification in the vehicle			
Drug Testing				
745.4151(a)	Operation must adopt the DFPS drug testing policy or have its own			
745.4151(b)	Operation must pay for drug tests, except as provided in subsection (c)(7)			
745.4151(c)	The criteria for the Model DFPS Drug Testing policy include purpose, scope, and definitions			
745.4151(c)(1)	Purpose. Ensure the safety of resident children and protect employee rights			

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Rule Number	Brief Description	Comply	Deficiency	N/A
745.4151(c)(2)	Scope. Applies to all employees and applicants that have direct contact with children in care and volunteers; regarding drug abuse allegations, applies to any person who works under the auspices of the operation and who directly cares for or has access to a child in care			
745.4151(c)(4)(A)	Mandatory drug testing-all applicants intended to be hired are subject to pre-employment testing prior to child access			
745.4151(c)(4)(B)	Mandatory drug testing-all employees are subject to random, unannounced drug testing			
745.4151(c)(4)(C)	Mandatory drug testing-any employee that is subject of child abuse or neglect investigation must be drug tested within 24 hr of notification by DFPS			
745.4151(c)(4)(D)	Mandatory drug testing-any person who works under the auspices of the operation who is alleged to be abusing drugs must be tested within 24 hours			
745.4151(c)(5)	Drug testing procedures			
745.4151(c)(5)(A)	All drug testing will at a minimum screen for marijuana, cocaine, opiates, amphetamines, and phencyclidine			
745.4151(c)(5)(B)	All drug testing will use one of the following drug-testing methods			
745.4151(c)(5)(B)(i)	Drug testing method - performed by a certified laboratory			
745.4151(c)(5)(B)(ii)	Drug testing method - a testing kit with proven rates of false positives below 2% and false negatives below 8%			
745.4151(c)(5)(B)(iii)	Drug testing method- another testing method with proof of accuracy comparable to either of the first two choices			
745.4151(c)(5)(C)	Ensure the integrity and identity of the specimen collected from the time of collection to the time of disposal			
745.4151(c)(5)(D)	Preserve the privacy and rights of the person tested			
745.4151(c)(6)	Discipline			
745.4151(c)(6)(A)	An applicant or employee's consent to submit to drug testing is required as a condition of employment			
745.4151(c)(6)(B)	An employee tested because there is "good cause to believe the employee may be abusing drugs," may be suspended			
745.4151(c)(6)(C)	An employee determined to have abused drugs is subject to discipline including discharge			
745.4151(c)(6)(D)	An applicant or employee determined to have abused drugs may not have direct contact with children if he presents a risk			
745.4151(c)(6)(E)	An employee determined to have abused drugs may complete a rehabilitation program at the employee's expense			
745.4151(c)(7)	Appeal. An applicant or employee whose drug test is positive may appeal at the applicant or employee's expense			
745.4151(c)(7)(A)	Appeal drug test results. Explain or offer documentation for the positive drug test			
745.4151(c)(7)(B)	Appeal drug test results. Request that remaining portion of the sample that yielded positive results be submitted for additional independent test			
745.4151(c)(7)(C)	Appeal drug test results. Employee may submit the written test result for independent medical review			
745.4151(c)(8)	Documentation of drug testing			
745.4151(c)(8)(A)	All applicants and employees must be provided a copy of the drug testing policy and sign a document consenting to these terms of employment			
745.4151(c)(8)(B)	Drug test results for employees must be kept for one year after an employee's last work day or until any investigation involving the person is resolved; all other drug test results required will be kept for one year from the date the drug test was administered			

Additional Rules May Be Evaluated Based on the Facility or Services Offered

General Residential Operation and Residential Treatment Center
Rules Evaluated Prior to Issuing an Initial License to a Non-Operating Facility

Facility Name: _____ **Date:** _____

Rule Number	Brief Description	Comply	Deficiency	N/A
Controlling Person				
745.903(1)	Controlling Person - Submit Controlling Person Form to local Licensing office when applying for a permit. See §745.901			
745.903(2)	Controlling Person - Submit Controlling Person Form to Licensing within two days after a person becomes a controlling person. See §745.901			
745.911(a)(1)	Employment Prohibited-Person may not be employed if DFPS denied the person's permit due to being barred from operating in another state			
745.911(a)(2)	Employment Prohibited-Person may not be employed if DFPS denied the person's permit due to being revoked in another state			

Additional Rules May Be Evaluated Based on the Facility or Services Offered