

ATTACHMENT 3
TRS Workgroup Recommendations
TRS Minimum Licensing Requirements

The screening forms in WD 08-14 are used to determine whether providers are eligible or can remain TRS certified based on the last 12 months of licensing monitoring reports. There is a separate screening form for Licensed Child Care Centers, Licensed Child Care Homes, Registered Child Care Homes, and School-Age Programs. Attachment A is the screening form for Licensed Child Care Centers.

The TRS Workgroup agreed that a TRS applicant will not be eligible for TRS certification if the facility:

- has any Critical Deficiency in Attachment B
- 5 or more deficiencies in Attachment C; or
- 10 or more total deficiencies

For TRS-certified facilities, the workgroup agreed on the following:

	Actions	Duration
Any Critical Deficiency Listed in <u>Attachment B</u>	Reduced to 2-star (2-Star lose TRS certification)	Eligible to be reinstated at former level if deficiency is not recited within 6 months.
5 or more High / Medium-High Deficiencies Listed in <u>Attachment C</u>	Lose a star level (2-Star lose TRS certification)	Eligible to be reinstated at former level if deficiency is not recited within 6 months.
10 to 14 Total Deficiencies (any deficiency)	Placed on 6-month Probation. If recited for same deficiencies within 6 months lose a star level. If new deficiencies during Probation not to exceed 14, a new 6-month Probation is established	Eligible to be reinstated at former level if deficiency is not recited within 6 months.
15 Total Deficiencies (any deficiency); or TRS Probation for more than 12 consecutive months	Lose TRS Certification	Eligible to re-apply no sooner than 12 months following loss of TRS certification.
DFPS places on Corrective Action/Adverse	Lose TRS Certification	Eligible to re-apply no sooner than 12 months following loss of TRS certification.

ATTACHMENT B
CRITICAL DEFICIENCIES

If the provider has the following deficiencies in their licensing compliance history:

- Initial Applicants: not eligible for TRS certification
- Current TRS: Reduced to 2-Star (2-Star lose TRS Certification)

[NOTE: changes to the current list in WD 08-14 are indicated]

CENTERS

Deficiencies
[NEW] 745.626 Background Checks Requirement – Providing Direct Care [HIGH]
[NEW] 745.656 Individuals on the Texas Sex Offender Registry –cannot be present at facility[HIGH]
[NEW] 745.661 Take Appropriate Action for Criminal Conviction or a Finding, Must Remove a Person form a Child Care Operation, and/or Requesting a Risk Evaluation [HIGH]
[NEW] 746.201 (9) Permit holder responsibilities – Complying with child care licensing law in Chapter 42 Human Resources Code [MEDIUM HIGH]
746.1201(4) Responsibilities of Employees and Caregivers – Ensure No Child is Abused, Neglected, or Exploited [HIGH]
746.1201(5) Responsibilities of Employees and Caregivers – Report Suspected Child Abuse, Neglect, or Exploitation [HIGH]
746.1311(a) Director Annual Training – 30 Hours Required [MEDIUM-HIGH]
746.1315(b) One Employee at Center and With Each Group of Children Away from Center Must Have Current CPR for Infants, Children, & Adults [MEDIUM-HIGH]
746.2805 Prohibited Punishments [HIGH]
[NEW] 746.3805(a) Administering Medication –authorization to administer [HIGH]
[NEW] 746.3805(b) Administering Medication - authorization expires on the first anniversary of the date the authorization is provided [(2) HIGH; (1), (3) MEDIUM-HIGH]

HOMES

Deficiencies
[NEW] 745.626 Background Checks Requirement [HIGH]
[NEW] 745.656 Individuals on the Texas Sex Offender Registry –cannot be present at facility [HIGH]
[NEW] 745.661, Take Appropriate Action for a Criminal Conviction or a Finding, Must Remove Person from a Child Care Operation, and/or Requesting a Risk Evaluation [HIGH]
747.207(5) Reporting of Suspected Abuse, Neglect, and Exploitation [HIGH]
[New] 747.207(9) Primary Caregiver Responsibilities – Complying with child care licensing law in Chapter 42 Human Resources Code
747.1303(2) Documented Director Annual Training- 30 Hours Required [MEDIUM HIGH]
747.1303(3) Training Requirements for Primary Caregiver – CPR and First Aid [HIGH]
747.1313(a) First Aid and CPR Training- Primary and Substitute Caregivers [HIGH]
747.1501(a)(3) Responsibility of Caregivers [HIGH]
747.2705 Prohibited Punishments [HIGH]
[NEW] 747.3605(a) Administering Medication -How to administer medication [HIGH]
[NEW] 747.3605(b) Administering Medication [(2) HIGH; (1), (3) MEDIUM-HIGH]

SCHOOL-AGE PROGRAMS

Deficiencies
[NEW] 745.626 Background Checks Requirement [HIGH]
[NEW] 745.656 Individuals on the Texas Sex Offender Registry –cannot be present at facility [HIGH]
[NEW] 745.661 Take Appropriate Action for Criminal Conviction or a Finding, Must Remove a Person form a Child Care Operation, and/or Requesting a Risk Evaluation [HIGH]
[NEW] 744.201(9) Permit holder responsibilities Complying with child care licensing law in Chapter 45 Human Resources Code [MEDIUM HIGH]
744.1201(4) Responsibilities of Employees and Caregivers- Ensure No Child Abused, Neglected, or Exploited [HIGH]

ATTACHMENT B
CRITICAL DEFICIENCIES

744.1201(5) Responsibilities of Employees and Caregivers-Report No Child Abused, Neglected, or Exploited [HIGH]
744.1301(3) Caregiver/Site Director Annual Training – 15 Hours Required [LOW] 744.1301(4) Director Annual Training - 20 Hours Required [LOW]
744.1315(b) One Caregiver or Employee per Operation, and One Caregiver or Employee for Each Group of Children Away From Operation, Must Have Current Training in CPR[MEDIUM HIGH]
744.2105 Prohibited Punishment [HIGH]
[NEW] 744.2655(a) Administering Medication – How to administer medication [HIGH]
[NEW] 744.2655(b) Administering Medication [(2) HIGH; (1), (3) MEDIUM-HIGH]

ATTACHMENT C
HIGH/MEDIUM-HIGH DEFICIENCIES

If 5 or more deficiencies in the following standards:

- Initial Applicants: not eligible for TRS certification
- Current TRS: Lose a star level (2-Star loses TRS certification)

[NOTE: changes to the current list in WD 08-14 are indicated]

Centers

Deficiencies
745.625 Background Checks Requirement – Submitting Requests [HIGH]
746.1003 Director Responsibilities [HIGH – (1), (3)-(6); MEDIUM – (2)]
746.1201(1) Responsibilities of Employees and Caregivers- Demonstrate competency, Good Judgment, Self – Control [HIGH]
[NEW] 746.1301(a)(2)(B) 24 clock hours of pre-service training [LOW {DFPS to reclassify as "Medium-High"}]
[NEW] 746.1305 Pre-service training requirement – (whole section) [(a) MEDIUM, (b) MEDIUM-HIGH]
746.1203(4) Responsibilities of Caregivers- Supervision of Children [HIGH]
746.1203(5) Responsibilities of caregivers- Children in Control [MEDIUM-HIGH]
[NEW] 746.1309(a) Documented Annual Training – 24 Hours Required [MEDIUM-HIGH]
[NEW] 746.1309(e)(1) Annual Training for Caregivers of Children Under 24 Months – Shaken Baby Syndrome [MEDIUM-HIGH]

Homes

Current Deficiencies
745.625, Background Checks Requirement [HIGH]
747.207 [NEW] (1)-(9) Primary Caregivers Responsibilities [HIGH - (2),(5), (7)-(8); MEDIUM-HIGH – (1), (3),(4),(6)]
[New] 747.1307(e) Annual Training for Caregivers of Children Under 24 Months [MEDIUM HIGH]
747.1501 (c)(1) Responsibilities of Employees and Caregivers- Competency, Good Judgment, Self-Control [HIGH]
747.1501 (c)(4) Responsibilities of Caregivers – Supervision of Children [HIGH]
747.1501 (c)(5) Additional Responsibilities of Caregivers- Children in Control [HIGH]
747.3501 Safety- Areas Free Form Hazards [MEDIUM-HIGH]

After-School Programs

Current Deficiencies
745.625 Background Checks Requirement [HIGH]
744.1005(a)(1)-(6) Director Responsibilities [MEDIUM-HIGH]
744.1201 (1) Responsibilities of Employees and Caregivers-Demonstrate Competency, Good Judgment, Self-Control [HIGH]
744.1203 (4) Responsibilities of Caregivers – Supervision of Children [HIGH]
744.1203 (5) Additional Responsibilities of Caregivers- Children in Control [MEDIUM-HIGH]
[NEW] 744.1301 Employee Training Requirements (whole section) [LOW]