

TITLE 26 HEALTH AND HUMAN SERVICES
PART 1 HEALTH AND HUMAN SERVICES COMMISSION
CHAPTER 745 LICENSING
SUBCHAPTER D APPLICATION PROCESS
DIVISION 12 PERMIT RENEWAL

§745.475. What does a completed renewal application for a permit include?

(a) A completed renewal application includes:

(1) Verification that the following information is current and accurate:

(A) Your operation's basic information on Licensing's consumer website;

(B) The list of controlling persons at your operation;

(C) The list of your governing body's members, such as officers and owners, if applicable;

(2) A statement as to whether your operation continues to need any existing waivers and variances;

(3) Validating on your provider website the list of persons who require a background check because of their association with your operation; and

(4) If you operate a general residential operation that provides treatment services for children with emotional disorders, a written response that addresses any public comments made regarding the renewal of the operation's license during a public hearing, if required by §745.487 of this division (relating to When is a public hearing required for the renewal of a license?).

(b) You must submit a completed renewal application for us to evaluate your permit for renewal.

§745.477. What happens after Licensing receives my renewal application?

(a) After receiving your renewal application, we evaluate whether:

(1) You completed the renewal application as required by §745.475 of this division (relating to What does a completed renewal application for a permit include?);

(2) We have cited you for repeated deficiencies or a pattern of deficiencies during the previous five years;

(3) You have corrected each deficiency with an expired compliance date that is not pending due process, including an administrative review, a due process hearing, or any subsequent rights of appeal;

(4) You currently meet all background check requirements in Subchapter F of this chapter (relating to Background Checks);

(5) You have paid:

(A) All fees required by Subchapter E of this chapter (relating to Fees); and

(B) Each administrative penalty that you owe after waiving or exhausting any due process provided under Texas Human Resources Code §42.078;

(6) We must visit your operation to determine your eligibility for renewal, such as to review records to determine whether you have corrected all relevant deficiencies; and

(7) We must hold a public hearing as required by §745.487 of this division (relating to Is a public hearing required for the renewal of a license?).

(b) Within 30 days of receiving your renewal application, we will send you written notice that:

(1) We have renewed your permit;

(2) Your renewal application is incomplete as further described in subsection (c) of this section; or

(3) We refuse to renew your permit as provided in §745.8655 of this chapter (relating to When may Licensing refuse to renew my permit?).

(c) If your renewal application is incomplete, the written notice will include:

(1) Our evaluation that you did not complete one or more of the renewal application requirements at §745.475 of this division (relating to What does a completed renewal application for a permit include?);

(2) A list of the requirements that must be completed before we can renew your permit, which may include:

(A) Correcting a deficiency with an expired compliance date that is not pending due process;

(B) Meeting a certain background check requirement; or

(C) Paying any of the following:

(i) A fee required by Subchapter E of this chapter (relating to Fees); or

(ii) An administrative penalty that you owe after waiving or exhausting any due process provided under Texas Human Resources Code §42.078; and

(3) A statement that we must hold a public hearing required by §745.487 of this division (relating to When is a public hearing required for the renewal of a license?), if applicable.

(d) If your renewal application is incomplete and you submitted it during the renewal period, you have unlimited attempts to submit the missing information and to correct the deficiencies until your permit expires.

(e) If your renewal application is incomplete and you submitted it during the late renewal period, you have 15 days to submit a completed renewal application from the date it was rejected.

REPEALED:

~~§745.475 (3) Verification that you have corrected any deficiency with an expired compliance date, unless the deficiency is pending due process; and]~~

~~§745.475 (4) Verification that all fees and administrative penalties that you owe have been paid;~~