

TITLE 26 HEALTH AND HUMAN SERVICES
PART 1 HEALTH AND HUMAN SERVICES COMMISSION
CHAPTER 747 MINIMUM STANDARDS FOR CHILD-CARE HOMES
SUBCHAPTER B ADMINISTRATION AND COMMUNICATION
DIVISION 3 REQUIRED POSTINGS

§747.403. What telephone **numbers and other contact information** must I post and where must I post **this information**?

(a) You must post in a prominent place the following telephone numbers:

(1) 911 or, if 911 is not available in your area, you must post the telephone numbers for:

(A) Emergency medical services;

(B) Law enforcement; and

(C) Fire department;

(2) Poison control (1-800-222-1222); **and**

(3) The Texas Abuse and Neglect Hotline (1-800-252-5400).

(b) You must post in a prominent place the name, address, and telephone number for:

(1) The local **Child Care Regulation** office; and

(2) Your **child-care** home.

Technical Assistance

- Readily available phone numbers help to ensure prompt response/action in an emergency.
- For the nearest **Child Care Regulation** office telephone number go to <https://www.hhs.texas.gov/services/safety/child-care/contact-child-care-licensing>.
- You can find specific information about the use of a cellular phone at your home in §747.4307.

TITLE 26 HEALTH AND HUMAN SERVICES
PART 1 HEALTH AND HUMAN SERVICES COMMISSION
CHAPTER 747 MINIMUM STANDARDS FOR CHILD-CARE HOMES
SUBCHAPTER B ADMINISTRATION AND COMMUNICATION
DIVISION 4 OPERATIONAL POLICIES

§747.501. What written operational policies must I have?

You must develop written operational policies and procedures that at a minimum address each of the following:

- (1) Procedure for the release of children;
- (2) Illness and exclusion criteria;
- (3) Procedures for dispensing medication, or a statement that medication is not dispensed;
- (4) Procedures for handling medical emergencies;
- (5) Discipline and guidance policy that is consistent with Subchapter L of this title (relating to Discipline and Guidance). A copy of Subchapter L may be used for your discipline and guidance policy;
- (6) Safe sleep policy for infants from birth through 12 months old that is consistent with the rules in Subchapter H of this chapter (relating to Basic Requirements for Infants) that relate to sleep requirements and restrictions, including sleep positioning, and crib requirements and restrictions, including mattresses, bedding, blankets, toys, and restrictive devices;
- (7) Animals, if applicable;
- (8) Promotion of indoor and outdoor physical activity that is consistent with Subchapter F of this chapter (relating to Developmental Activities and Activity Plan). Your policies must include:
 - (A) The duration of physical activity at your home, both indoor and outdoor;
 - (B) The recommended clothing and footwear that will allow a child to participate freely and safely in physical activities; and
 - (C) A plan to ensure physical activity occurs on days when extreme weather conditions prohibit or limit outdoor time.
- (9) Parent rights that are consistent with the rules in Division 5 of this subchapter (relating to Parent Rights);
- (10) Instructions on how a parent may access the:
 - (A) Minimum standards online;
 - (B) Texas Abuse and Neglect Hotline; and

(C) HHSC website.

(11) Your emergency preparedness plan;

(12) Procedures for conducting health checks, if applicable;

(13) Information on vaccine-preventable diseases for employees, if your licensed child-care home is not located in your own residence. The policy must address the requirements outlined in §747.3411 of this chapter (relating to What must a policy for protecting children from vaccine-preventable diseases include?); and

(14) If your home maintains and administers unassigned epinephrine auto-injectors to use when a child in care has an emergency anaphylaxis reaction, policies for maintenance, administration, and disposal of unassigned epinephrine auto-injectors that comply with the unassigned epinephrine auto-injector requirements set by the Texas Department of State Health Services, as specified in Texas Administrative Code, Title 25, Chapter 40, Subchapter C (relating to Epinephrine Auto-Injector Policies in Youth Facilities) and in Texas Health and Safety Code §773.0145.

Technical Assistance

- Regarding paragraph (6), a sample Infant in Child Care Safe Sleep Policy can be found in the [CCR TA Library](#).
- Regarding paragraph (8)(A), additional resources regarding physical activity are available in [Caring for Our Children: National Health and Safety Performance Standards, 4th Edition](#) and in the Licensing Technical Assistance Library.
- Regarding paragraph (14), DSHS requirements for the maintenance and administration of unassigned epinephrine auto-injectors include requirements for:
 - Training;
 - Storage;
 - Administration;
 - Disposal;
 - Reporting; and
 - Parental notification of policies.

You can find more information about these requirements, as well as definitions pertaining to anaphylaxis, at [Allergies and Anaphylaxis](#), [Epinephrine Auto-Injector Policies in Youth Facilities](#), and in the [CCR TA Library](#).

TITLE 26 HEALTH AND HUMAN SERVICES
PART 1 HEALTH AND HUMAN SERVICES COMMISSION
CHAPTER 747 MINIMUM STANDARDS FOR CHILD-CARE HOMES
SUBCHAPTER B ADMINISTRATION AND COMMUNICATION
DIVISION 5 PARENT RIGHTS

§747.521. What rights does a parent of a child in care of my child-care home have?

A parent of a child in care has the right to:

(1) Enter and examine your child-care home during its hours of operation without advance notice;

(2) File a complaint against your child-care home;

(3) Review your child-care home's publicly accessible records;

(4) Review your child-care home's written records concerning the parent's child, as outlined in §747.601 of this chapter (relating to Who has the right to access children's records?);

(5) Receive from your child-care home:

(A) HHSC's inspection reports for your child-care home; and

(B) Information regarding how to access your child-care home's compliance history online;

(6) Have your child-care home comply with a valid court order signed by a judge that prevents another parent from visiting or removing the parent's child from your child-care home, as outlined in §747.3901 of this chapter (relating to To whom may I release a child?);

(7) Be provided with contact information for Child Care Regulation, including the department's name, address, and telephone number;

(8) View any video recordings of an alleged incident of abuse or neglect involving the parent's child maintained by your child-care home as long as:

(A) Video recordings of the alleged incident are available;

(B) The parent is not allowed to retain any portion of the video depicting a child who is not the parent's child; and

(C) Your child-care home notifies in writing the parent of any other child captured in the video recording, before allowing the parent to inspect the video recording;

(9) Obtain a copy of your child-care home's policies and procedures, as outlined in §747.503 of this subchapter (relating to Must I provide parents with a copy of my operational policies?);

(10) Review, upon request of the parent, your:

(A) Staff training records; and

(B) In-house training curriculum, if any; and

(11) Be free from any retaliatory action by your child-care home for exercising any of the parent's rights.

Technical Assistance

- Regarding paragraph (5)(A), the child-care home may provide the parent with HHSC's inspection reports by posting the reports in the child-care home and referring the parent to the posting or by giving the parent a copy of the reports directly or electronically.
- Regarding paragraph (5)(B), the child-care home should provide the parent with instructions regarding how to access the home's compliance history via [Search Texas Child Care](#).

TITLE 26 HEALTH AND HUMAN SERVICES
PART 1 HEALTH AND HUMAN SERVICES COMMISSION
CHAPTER 747 MINIMUM STANDARDS FOR CHILD-CARE HOMES
SUBCHAPTER S SAFETY PRACTICES
DIVISION 5 RELEASE OF CHILDREN

§747.3901. To whom may I release a child?

(a) You may release a child only to a parent or a person designated by the parent.

(b) Upon receipt of a valid court order signed by a judge that prohibits a parent from removing the named child or children from the child-care home, the child-care home must:

(1) Comply with the court order immediately and until:

(A) Receipt of a subsequent court order that revokes the primary order; or

(B) The court order expires as defined in the document; and

(2) Maintain a copy of the court order in the child's file.

Technical Assistance

- If you suspect the person picking up a child is under the influence of drugs or alcohol, you may call local police and request their assistance.
- You may not legally prevent the child from being picked up by a parent or person designated by the parent, however, you may address this issue at enrollment by asking parents what they would like for you to do if you do not feel comfortable releasing the child to one of the parents and signing an agreement to this effect.
- Law enforcement officers and DFPS Child Protective Services staff have the authority by law to remove a child without a parent's permission.
- Always ask to see identification of persons you do not know.