



Minimum Standards Revision Notice

Date: October 10, 2023

Effective Date: October 19, 2023

To: All Holders of Chapter 748, Minimum Standards for General Residential Operations

From: Rachel Ashworth-Mazerolle, HHSC Associate Commissioner for Child Care Regulation

Subject: New Requirements Related to Licensed Administrators

The amended and new rules implement Texas Human Resources Code §42.080 and §43.0081 from SECTIONS 22 and 25 of Senate Bill 1896, 87th Legislature, Regular Session, 2021. The new rules:

- Prohibit Child Care Regulation (CCR) from issuing a citation or taking disciplinary action against a general residential operation (GRO) for failing to employ a licensed administrator as long as:
 - the position has been vacant for fewer than 60 days; and
 - the GRO is making substantial efforts to fill the position;
- Require GROs to report a child-care administrator vacancy at their operation;
- Clarify when a GRO may hire a child-care administrator with a provisional license; and
- Clarify when a child-care administrator can be the administrator over two residential child-care operations.

The changes are effective October 19, 2023.

New Requirements for Child-Care Administrator's Licenses

This memo covers substantive changes made to the rules in Chapter 748 that address the new provisional administrator's license.

In addition to the substantive changes outlined in this memo, CCR made non-substantive changes to the rules to improve the understanding and readability of the rules. In addition, CCR added Technical Assistance (TA) boxes that follow the rules in the minimum standards publication to provide additional clarification and/or additional resources. These non-substantive changes and updates to TA boxes are not identified in this document but are identified in the highlighted version of the rules.

Specific Rule Changes

Organization and Administration- Operational Responsibilities and Notifications

§748.153. What changes must I notify Licensing about regarding my operation?

§748.154. What is my timeframe for filling my child-care administrator position if it becomes vacant while I do not have a back-up administrator to carry out the administrator duties?

Amended §748.153(3)(A) adds a requirement for a general residential operation to notify CCR as soon as possible, but no later than two days, after a licensed child-care administrator position becomes vacant.

New §748.154 allows a general residential operation 60 days from the date that a licensed child-care administrator position becomes vacant to obtain a new child-care administrator before CCR will cite for not having an administrator.

Personnel- Child-Care Administrator

§748.532. When can a child-care administrator with a provisional license serve as the administrator for a general residential Operation?

§748.533. Can a child-care administrator be an administrator for two residential child-care operations?

New §748.532 allows a general residential operation to hire an administrator with a provisional child-care administrator's license, as long as the operation is not:

- on a voluntary plan of action;
- on corrective action;
- subject to an adverse action; or
- pending due process for a corrective or an adverse action.

Amended §748.533 outlines situations when a child-care administrator can be an administrator over two residential child-care operations and:

- At (a)(4), clarifies that a child-care administrator may serve as an administrator at two residential child-care operations when the second operation is a child-placing agency as long as the administrator holds a full child-placing agency administrator’s license; and
- At (c), prohibits a child-care administrator with a provisional child-care administrator’s license from serving as a licensed administrator at more than one residential child-care operation.

Highlighted Versions

You may view highlighted versions of the adopted rules at [Minimum Standards | Texas Health and Human Services](#). CCR is updating the minimum standards publication and will complete the update by October 19, 2023.

If you have questions, please contact your CCR inspector or send an email to [HHSC Residential Child Care Regulation Minimum Standards Comments](#)