



# Minimum Standards Revision Notice

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**Date:** October 8, 2018 **Effective Date:** October 8, 2018

**To:** All Holders of Chapter 746, Minimum Standards for Child-Care Centers

**From:** Jean Shaw, HHSC Associate Commissioner for Child-Care Licensing

**Subject:**

Update Training Requirements, particularly in relation to First Aid and CPR:

- Personnel Records;
- Minimum Qualifications;
- Professional Development;
- Field Trips; and
- Get-Well Care Program.

The amendments and new minimum standard outlined in this Revision Notice continue to implement portions of the federal Child Care Development Block Grant (CCDBG) Act of 2014 by making the minimum standards consistent with the Act's requirements. The CCDBG authorizes the Child Care and Development Fund (CCDF) program, which is the primary federal funding source devoted to providing low-income families with access to child care. The CCDBG Act makes significant reforms to the CCDF program to raise the health, safety, and quality of child care, including specifying mandatory training topics. The changes will be effective on October 8, 2018.

## **Training Requirements**

The amendments and new minimum standard noted below generally clarify or reorganize the minimum standards for better readability and understanding, make each consistent with Chapters 744 and 747, delete outdated grandfather clauses, and update citations. There are some additional specific changes to each minimum standard that are further explained below.

## **Personnel Records**

§746.901. What information must I maintain in my personnel records?

The amendments to §746.901(3) and (10):

- Clarify that a statement from any health care professional, not just a physician, may verify that an employee is free of active tuberculosis; and
- Replaces the term “child abuse and neglect” with the term “child maltreatment” to be consistent with the amendments made to §746.1303.

## **Minimum Qualifications**

§746.1105. What minimum qualifications must each of my child-care center employees meet?

§746.1107. What additional minimum qualifications must each of my caregivers meet?

The amendments to §746.1105 and §746.1107 clarify that the orientation and pre-service training requirements are not minimum qualifications, even though employees and caregivers must continue to meet the orientation and pre-service training requirements as updated more specifically in amended §746.1301.

## Professional Development

§746.1301. What training must I ensure that my employees, caregivers, and directors have during certain timeframes?

§746.1303. What must orientation for employees at my child-care center include?

§746.1309. What areas of training must the annual training for caregivers cover?

§746.1311. What areas of training must the annual training for my child-care center director cover?

§746.1315. (Repeal and New) Who must have pediatric first aid and pediatric CPR training?

§746.1316. What additional training must an employee and director have if the operation transports children?

§746.1317. Must the training for my caregivers and the director meet certain criteria?

§746.1329. What documentation must I provide to Licensing to verify that employees have met training requirements?

The amendments to §746.1301 significantly alter the chart, so all of the training requirements for employees, caregivers, and directors are in one place that is easy to find. This chart lists each type of training that is required, including the number of hours required, if applicable, and when the training must be completed. The other significant changes or clarifications are:

- The minimum standard now applies to directors, as well as employees and caregivers;
- Orientation is required within seven days of employment and before a caregiver may have unsupervised access to children;
- Training for pediatric first aid with rescue breathing and choking must be completed within 90 days of employment and before a caregiver may have unsupervised access to children;
- Training for Pediatric CPR must be completed within 90 days of employment [Note: a caregiver may have unsupervised access to children before the pediatric CPR training is completed.]; and

- Directors, as well as employees, must have two hours of transportation safety training if the center transports children whose chronological or development age is younger than nine.

The amendments to §§746.1303, 746.1309, and 746.1311:

- Alter the question and answer so each minimum standard represents only the curriculum that is required for orientation and annual training; and
- Regarding the orientation and annual training requirements for the “prevention, recognition, and reporting of child maltreatment”, replace the phrase “child abuse and neglect” with “child maltreatment” to be more consistent with the federal health and training topic in the CCDBG and the HRC §42.04261. [Note: This change will not impact how this minimum standard is monitored or cited.]

The repealed and new §746.1315 explains the new requirements for pediatric first aid with rescue breathing and choking and pediatric CPR, including:

- Each caregiver and the director must have a current certificate of training with an expiration or renewal date in pediatric first aid with rescue breathing and choking; [Note: §746.1301(3)(C)(i) states that the training must be completed within 90 days of employment and before a caregiver may have unsupervised access to children.] and
- Each caregiver and the director must have a current certificate of training with an expiration or renewal date in pediatric CPR. [Note: §746.1301(4)(C)(i) states that the training must be completed within 90 days of employment.] In addition:
  - A new caregiver may have unsupervised access to children before the pediatric CPR training is completed, however, while children are in care the center must have at least one employee or caregiver on the premises that has a current certificate of training in pediatric CPR;
  - As previously required, the pediatric CPR training must continue to adhere to the guidelines for CPR for a lay person established by the American Heart Association; and
  - The pediatric CPR training may be provided by blended learning.

The amendments to §746.1316 clarify that, the transportation safety training requirement is in addition to any other requirements for training.

The amendments to §746.1317(c) clarify that the instructor-led and self-instructional training requirements do not apply to self-study training.

The amendments to §746.1329 clarify the differences between documentation for annual training and documentation for pediatric first aid and CPR. Specifically, annual training requires an original certificate or letter. Pediatric first aid and CPR can be an original certificate or letter, or a photocopy of an original certificate or letter, as long as the employee is able to provide the original upon Licensing's request.

### **Field Trips**

§746.3001. May I take children away from my child-care center for field trips?

The amendments to §746.3001 update the first aid and CPR requirements for field trips, which now require at least one caregiver per group to have training in pediatric first aid and pediatric CPR.

### **Get-Well Care Program**

§746.3117. Do caregivers in my get-well care program require special training?

The amendments to §746.1317 delete the requirement for get-well care program caregivers to obtain first aid and CPR training, because the training is now required for all caregivers in §746.1315

You may print copies of the updated Minimum Standards from the website at [http://www.dfps.state.tx.us/Child\\_Care/Child\\_Care\\_Standards\\_and\\_Regulations/default.asp](http://www.dfps.state.tx.us/Child_Care/Child_Care_Standards_and_Regulations/default.asp).

Also on the Child Care Licensing website is a final version of the Chapter 746 minimum standard amendments *[First Aid and CPR Display](#)* in bolded/strike-through (**new/delete**) format.

If you have questions, please contact your licensing representative or send an email to [msc@hhsc.state.tx.us](mailto:msc@hhsc.state.tx.us).