



# Presentation to the House Committee on Human Services

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Associate Commissioner,  
Child Care Regulation

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# Residential Child Care Permits

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- Currently there are two permit types for residential child care facilities
- Child-Placing Agency (CPA)
  - This means a person, including an organization, other than the natural parents or guardian of a child who plans for the placement of or places a child in a child-care facility, agency foster home, or adoptive home
  - CPAs verify foster homes
- General Residential Operation (GRO)
  - This is a child care facility that provides care for seven or more children for 24 hours a day
  - Emergency Shelters and Residential Treatment Centers (RTCs) are GROs that provide specific, specialized services

# Licensure Process

## Application

Operation submits application for licensure, including all required documentation.

Upon receipt of the application, HHSC has 21 days to review and determine if the application is complete. The application may be returned for additional documentation.

## Inspection

If the application is accepted, HHSC has 21 days to complete a comprehensive inspection to evaluate compliance with all required standards.

When an initial permit is issued, it is valid for six months. During the initial permit period, HHSC will conduct a minimum of three unannounced inspections to further determine compliance with minimum standards, administrative rules, and statutes.

Upon completion of that inspection, HHSC has two months to issue or deny an initial permit unless there is good cause to extend the timeframe. HHSC may deny an application for a permit if the operation fails to comply with minimum standards, administrative rules, or statutes.

## Permit

HHSC may issue a second initial permit if additional time is necessary to determine a pattern of compliance also valid for six months. HHSC conducts at least three unannounced inspections during that timeframe.

If after the initial permit period(s), the operation has established continued compliance, HHSC may issue a full permit.

When an operation is issued a full permit, HHSC will conduct at least one inspection per year, in addition to any other inspections or investigations that may be necessary as a result of reports received.





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# Regulatory Oversight

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## **Licensed GROs and CPAs are required to comply with all state health and safety standards**

- State statute and agency rule direct HHSC to conduct comprehensive annual inspections of state-licensed operations
- HHSC also investigates any reported violations of licensing standards and ensure state-licensed operations resolve deficiencies
- The Department of Family and Protective Services (DFPS) investigates allegations of abuse and neglect at HHSC licensed operations
- During inspections and investigations, HHSC evaluates an operation's compliance with state standards. If an operation fails to meet the standards, HHSC cites a deficiency



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# Single Source Continuum Contractors

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- A Single Source Continuum Contractor (SSCC) is a CPA that contracts with the DFPS to provide community-based care as described in Subchapter B-1, Chapter 264, Texas Family Code
- HHSC issues permits to SSCCs as a CPA and is responsible for regulating the SSCCs as a CPA



# Heightened Monitoring

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- Heightened Monitoring (HM) is required by Court Order and is a coordinated effort between DFPS and HHSC to address a pattern of deficiencies and/or concerns relating to residential child care operations, including GROs and CPAs, that serve youth in the conservatorship of DFPS
- DFPS and HHSC conduct an in-depth assessment of every operation on HM and develop an individualized and customized plan addressing the patterns that led to the operation being placed on HM
- DFPS and HHSC share responsibility for conducting weekly unannounced visits to the operation to ensure compliance and progress with the plan
- There are currently 79 operations on HM
  - 44 GROs (19% of all GROs)
  - 35 CPAs (16% of all CPAs)

# Number of Deficiencies Cited

Deficiency Weight	FY2020		FY2021 YTD		Total Count of Citations
	FY2020	Average Number of Deficiencies Per Operation	FY2021 YTD	Average Number of Deficiencies Per Operation	
High	1545	2.27	2047	2.92	5071
Low	268	0.39	220	0.31	726
Medium	1670	2.45	2031	2.90	5310
Medium High	1715	2.51	2129	3.04	5485
Medium Low	584	0.86	580	0.83	1767
No Weight	2	0.00	1	0.00	4
Grand Total	5784	8.48	7008	10.00	18363



# Enforcement Actions

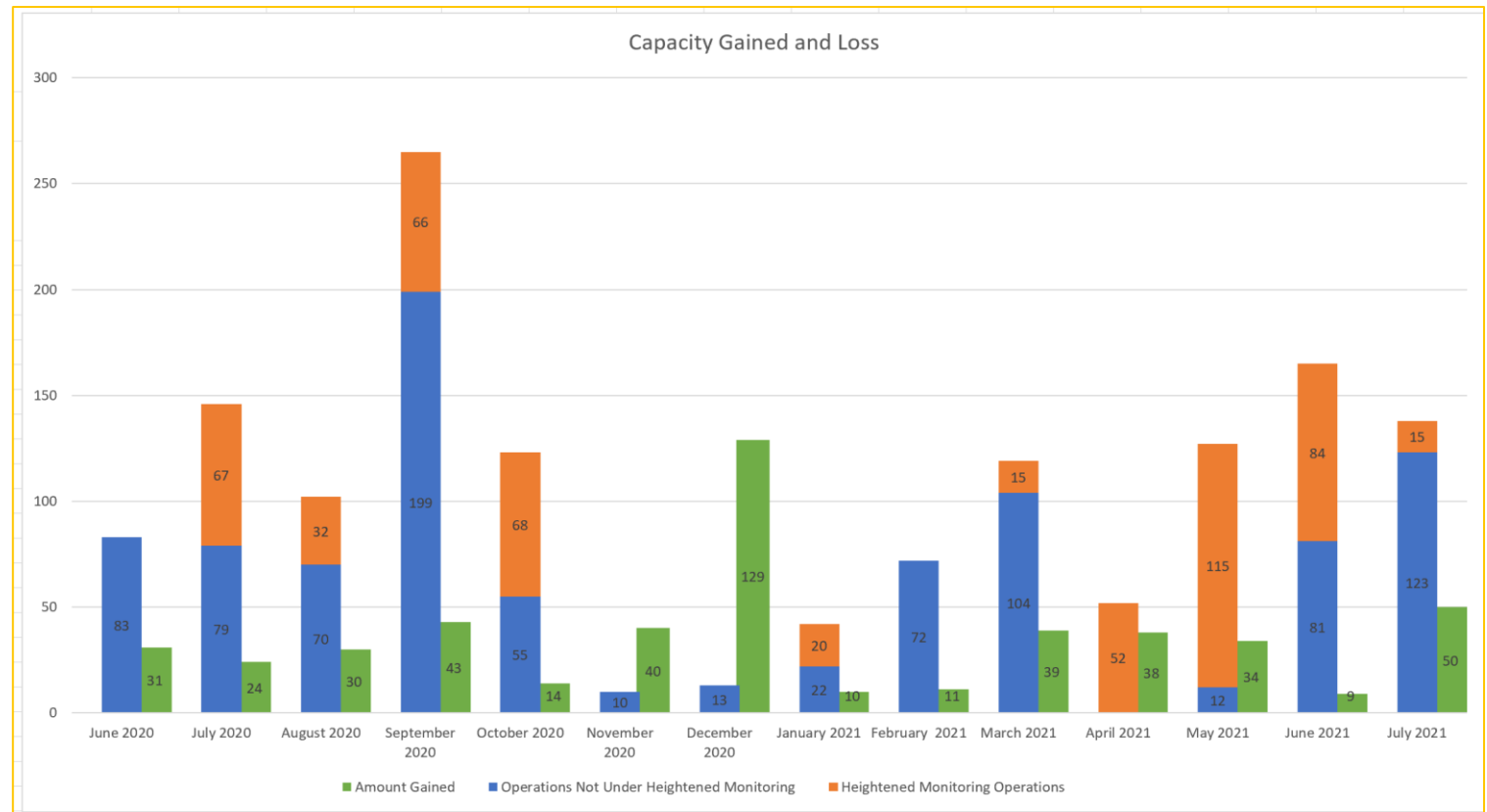
Enforcement Actions	FY 20	FY 21
Denial of the Application	2	6
Involuntary Suspension	0	1
Revocation	4	11
Probation	5	14
Plan of Action	10	37
<b>Total</b>	<b>21</b>	<b>69</b>





# Capacity Gained and Loss

## June 2020 – August 2021



# Current Operations & Capacity

Operation Type	Count	Total Capacity
Child-Placing Agency	352	N/A
General Residential Operation – Child Care Services Only	30	1365
General Residential Operation – Emergency Care Services Only	31	431
General Residential Operation – Multiple Services	88	2446
General Residential Operation – Residential Treatment Center	86	2165
<b>Total</b>	<b>587</b>	<b>6407</b>

