



Child Care Regulation Operation Action Letter

Number: 2024-04
Title: Newly Adopted Child Care Rules Regarding Psychiatric Residential Youth Treatment Facilities
Operation Types: General Residential Operations
Publication Date: 10/10/2024
Effective Date: 10/15/2024

Subject and Purpose

The purpose of this Operation Action Letter is to:

- Notify general residential operations (GROs) of a new voluntary Psychiatric Residential Youth Treatment Facility (PRYTF) certificate;
- Notify GROs of amended and new rules in Title 26, Texas Administrative Code, Chapters 745 and 748;
- Provide an overview of how a GRO can apply for a PRYTF certificate; and
- Provide an overview of the Minimum Standards for a PRYTF.

Details and Operation Responsibilities

A GRO may obtain a PRYTF certificate from Child Care Regulation (CCR) to provide psychiatric health treatment and services to individuals 21 years of age or younger who have a severe emotional disturbance. For a PRYTF, CCR regulates health treatment and services the PRYTF provides to both children and young adults.

Obtaining a PRYTF certificate is a voluntary process. No GRO is required to apply for a PRYTF certificate.

Application Process – Chapter 745, Subchapter O

Before a GRO may submit an online application for a PRYTF certificate through the GRO’s Provider Portal Account, the GRO must:

- Have a current initial or full license;
- Have CCR’s approval to provide treatment services to children with an emotional disorder; and
- Be accredited.

A completed application must include:

- A Psychiatric Residential Youth Treatment Facility application (submitted through the GRO's Provider Portal);
- Form 2960, Application for a License to Operate a Residential Child Care Facility, Attachment C;
- An updated floor plan;
- Additional written policies regarding 24-hour nursing services and supervising young adults and children; and
- Payment of the PRYTF Certificate Application fee of \$890, which is non-exempt and non-refundable.

The following PRYTF certificate processes are very similar to the processes that apply to a GRO license:

- The application timeframes and notification requirements after submittal of the application;
- Inspections, investigations, and confidentiality;
- Renewals (every two years with a non-exempt, non-refundable fee of \$740); and
- Enforcement, specifically, a denial, refusal to renew, administrative penalty, administrative review, and administrative hearing.

Visit the [Texas Register](#) to review a summary of the comments HHSC received during the formal public comment period and HHSC's response to the public comments, including whether HHSC made any changes to the rules.

Visit the Child Care Regulation [Minimum Standards webpage](#) to review highlighted copies that show the new and amended rules, including adopted rule change differences from the previous rules, at "Display of October 2024 Changes for Chapter 745: Adopted Requirements Related to Psychiatric Residential Youth Treatment Facilities."

[Minimum Standards for a PRYTF – Chapter 748, Subchapter W](#)

A certified PRYTF must comply with all the minimum standards in Chapter 748, including the standards in Subchapter W, unless the minimum standard is identified for specific types of services that the GRO does not offer, or the standard is replaced by a rule in §748.4809. The minimum standards in Chapter 748 also apply to young adults 18 to 21 years of age who are admitted to a PRYTF.

A GRO is responsible for noting the following key takeaways related to minimum standards for a PRYTF:

- Treatment services for children with an emotional disorder include children and young adults 18 and 21 years of age who are admitted to a PRYTF and have a severe emotional disturbance;
- There are additional policy requirements regarding nursing services and supervising young adults and children;
- A PRYTF must have a treatment director;
- Caregivers and certain employees must complete:

- Additional pre-service training on suicide prevention;
- Additional annual training on suicide prevention; and
- Two hours of annual training on administering psychotropic medication;
- A caregiver must complete 50 hours of annual training;
- During night-time sleeping hours, a PRYTF caregiver must remain awake and may care for a maximum of six individuals (children and young adults);
- There are additional requirements to separate young adults who are not in the care of DFPS and did not come immediately from another residential child-care operation;
- There are additional requirements for a preliminary service plan and initial service plan for an individual in a PRYTF; and
- A PRYTF service planning team that develops an individual's service plan must involve a licensed psychiatrist or physician.

Visit the Child Care Regulation [Minimum Standards webpage](#) to review:

- A summary of the rule changes at "October 2024 Revision Memo for Chapter 748: Adopted Requirements Related to Psychiatric Residential Youth Treatment Facilities;" and
- Highlighted copies that show the new and amended rules, including adopted rule change differences from the previous rules, at "Display of October 2024 Changes for Chapter 748: Adopted Requirements Related to Psychiatric Residential Youth Treatment Facilities."

CCR is updating the Chapter 748 minimum standard publication and will publish the updates by 10/15/2024.

Visit the [Texas Register](#) to review a summary of the comments HHSC received during the formal public comment period and HHSC's response to the public comments, including whether HHSC made any changes to the rules.

Background/History

The PRYTF certificate process implements House Bill (H.B.) 3121, 87th Legislature, Regular Session, 2021. H.B. 3121 added Health & Safety Code, Chapter 577A, Psychiatric Residential Youth Treatment Facilities, to create:

- A voluntary process for a GRO to be certified as a PRYTF; and
- Minimum Standards for a PRYTF.

Note: While most CCR rules are based on statutes in the Human Resources Code, the PRYTF certificate rules are based on Health & Safety Code, Chapter 577A.

Resources

- [Display of October 2024 Changes for Chapter 745: Subchapters B and O Relating to Psychiatric Youth Treatment Facilities \(PDF\)](#)

- [October 2024 Revision Memo for Chapter 748: Subchapters B and W Relating to Psychiatric Residential Youth Treatment Facilities \(PDF\)](#)
- [Display of October 2024 Changes for Chapter 748: Subchapters B and W Relating to Psychiatric Residential Youth Treatment Facilities \(PDF\)](#)
- [Chapter 748 minimum standards publication \(PDF\)](#)
- [H.B. 3121, 87th Legislature, Regular Session, 2021](#)
- [Health & Safety Code, Chapter 577A, Psychiatric Residential Youth Treatment Facilities](#)

Contact Information

[Email questions to RCCR Standards.](#)