

Figure: 26 TAC §745.8835(a)

Decision or action in dispute:	Person who can request a due process hearing to dispute the decision or action:
<p>(1) The imposition of either of the following against an operation:</p> <p>(A) An adverse action, subject to the limitations in subsection (b) of this section; or</p> <p>(B) An administrative penalty.</p>	The applicant or an owner, partner, governing body, director, licensed administrator, or designee of the operation.
<p>(2) A denial, refusal to renew, suspension, or revocation of an administrator's license.</p>	The applicant or licensed administrator.
<p>(3) The designation of a person as a controlling person.</p>	The person designated as a controlling person.
<p>(4) The imposition of an administrative penalty against a controlling person.</p>	The controlling person that the administrative penalty was imposed upon.
<p>(5) A Central Registry finding of child abuse, neglect, or exploitation that has not been sustained and is the result of a background check conducted under Subchapter F of this chapter (relating to Background Checks).</p>	The subject of the background check.
<p>(6) A determination that the person poses an immediate threat or danger to the health or safety of children because of:</p> <p>(A) A juvenile adjudication; or</p> <p>(B) Another issue unrelated to:</p> <p style="padding-left: 40px;">(i) <u>A criminal conviction [history] or an arrest or charge that may result in a conviction;</u></p> <p style="padding-left: 40px;">(ii) <u>A finding of child abuse, neglect, or exploitation the [a] Texas Department of Family and Protective Services or an open [child abuse, neglect, or exploitation] investigation that may result in such a finding; or</u></p> <p style="padding-left: 40px;">(iii) <u>A finding of child abuse, neglect, or exploitation by the Texas Health and</u></p>	The person determined to pose the immediate threat or danger.

Human Services Commission for which the person has the right to request due process or an open investigation that may result in such a finding.

