

Figure: 26 TAC §749.503(e)

Serious Incident	(i) To Child Care Regulation?  (ii) If so, when?	(i) To Parents?  (ii) If so, when?
(1) Any incident that renders all or part of the CPA or a foster home unsafe or unsanitary for a child, such as a fire or a flood.	(A)(i) YES  (A)(ii) As soon as possible, but no later than 24 hours after the incident.	(B)(i) YES  (B)(ii) As soon as possible, but no later than 24 hours after the incident.
(2) A disaster or emergency that requires a foster home to close.	(A)(i) YES  (A)(ii) As soon as possible, but no later than 24 hours after the incident.	(B)(i) YES  (B)(ii) As soon as possible, but no later than 24 hours after the incident.
(3) The CPA must temporarily do the following to comply with a declared state of disaster under Chapter 418, Government Code: <ul style="list-style-type: none"> <li>• Move the CPA to a new location that is not noted on the CPA's permit;</li> <li>• Move a foster home to a new location that is not noted on the verification;</li> <li>• Allow a foster home to provide care to any child at a location not noted on the verification (for example providing care to children that need to be quarantined at a different location from other children in the foster home noted on the verification).</li> </ul>	(A)(i) YES.  (A)(ii) As soon as possible, but no later than 24 hours after: <ul style="list-style-type: none"> <li>• The CPA temporarily moves to a new location that is not noted on the permit;</li> <li>• A foster home temporarily moves to a new location that is not noted on the verification; or</li> <li>• A foster home temporarily provides care to any child at a location not noted on the verification.</li> </ul>	(B)(i) YES.  (B)(ii) As soon as possible, but no later than 24 hours after: <ul style="list-style-type: none"> <li>• The CPA temporarily moves to a new location that is not noted on the CPA's permit;</li> <li>• A foster home temporarily moves to a new location that is not noted on the verification; or</li> <li>• A foster home temporarily provides care to any child at a location not noted on the verification.</li> </ul>
(4) An adult who has contact with a child in care contracts a communicable disease noted in	(A)(i) YES, unless the information is	(B)(i) YES, if their child has contracted the communicable disease or

<p>25 TAC Chapter 97, Subchapter A, (relating to Control of Communicable Diseases).</p>	<p>confidential.</p> <p>(A)(ii) As soon as possible, but no later than 24 hours after the CPA becomes aware of the communicable disease.</p>	<p>has been exposed to it.</p> <p>(B)(ii) As soon as possible, but no later than 24 hours after the CPA becomes aware of the communicable disease.</p>
<p>(5) An allegation that a person under the auspices of the CPA who directly cares for or has access to a child in the setting has abused drugs within the past seven days.</p>	<p>(A)(i) YES.</p> <p>(A)(ii) Within 24 hours after learning of the allegation.</p>	<p>(B)(i) NO.</p> <p>(B)(ii) Not applicable.</p>
<p>(6) An investigation of abuse or neglect by an entity (other than the Texas Department of Family and Protective Services Child Care Investigations division) of an employee, professional level service provider, foster parent, contract staff, volunteer, or other adult at the agency.</p>	<p>(A)(i) YES.</p> <p>(A)(ii) As soon as possible, but no later.</p>	<p>(B)(i) NO.</p> <p>(B)(ii) Not applicable.</p>
<p>(7) Any of the following relating to an employee, professional level service provider, foster parent, contract staff, volunteer, or other adult at the agency alleging commission of any crime as provided in §745.661 of this title (relating to What types of criminal convictions may affect a subject's ability to be present at an operation?):</p> <ul style="list-style-type: none"> <li>• An arrest;</li> <li>• An indictment;</li> <li>• Information regarding an official complaint accepted by a county or district attorney; or</li> </ul>	<p>(A)(i) YES.</p> <p>(A)(ii) As soon as the CPA becomes aware of the situation.</p>	<p>(B)(i) NO.</p> <p>(B)(ii) Not applicable.</p>

<ul style="list-style-type: none"> <li>An arrest warrant executed by law enforcement.</li> </ul>		
<p>(8) A search warrant is executed by law enforcement at the CPA or a foster home.</p>	<p>(A)(i) YES.</p> <p>(A)(ii) As soon as the CPA becomes aware of the situation.</p>	<p>(B)(i) NO.</p> <p>(B)(ii) Not applicable.</p>
<p>(9) An allegation that an employee or caregiver:</p> <ul style="list-style-type: none"> <li>Used a prohibited emergency behavior intervention technique, as outlined in §749.2051(b) of this chapter (relating to What types of emergency behavior intervention may I administer?);</li> <li>Used a prohibited personal restraint technique, as outlined in §749.2205 of this chapter (relating to What personal restraint techniques are prohibited?); or</li> <li>Used an Emergency Behavior Intervention inappropriately, as outlined in §749.2063 of this chapter (relating to Are there any purposes for which emergency behavior intervention cannot be used?) or §749.2281 of this chapter (relating to What is the maximum length of time that an emergency behavior intervention can be administered to a child?).</li> </ul>	<p>(A)(i) YES.</p> <p>(A)(ii) As soon as possible but no later than 24 hours after the CPA becomes aware of the incident.</p>	<p>(B)(i) YES.</p> <p>(B)(ii) As soon as possible but no later than 24 hours after the CPA becomes aware of the incident.</p>