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DATE	STANDARD #	TYPE	STANDARD RISK NUMBER	CORRECTED AT INSPECTION	CORRECTION DEADLINE	DATE CORRECTION VERIFIED	NARRATIVE
12/1/2010	748.2951(d) - Evaluation- Results of each overall annual evaluation made available to Licensing for review.	Assessments	Medium	No	2/15/2011		On 11/23/10, the most recent overall operation evaluation of the emergency behavior interventions performed at the facility was requested. On 12/1/10, a fax was received from the administrator. The fax included the operation's EBI policies and procedures, some descriptions of the techniques approved by the operation, and a tally of "CPI Classroom Instructional Hours." A full analysis of the operation's usage of EBI in the previous year, however, was not made available to Licensing as requested.
10/12/2010	748.2551(c)(2) - EBI Implementation-Caregiver must use the minimal amount of reasonable and necessary physical force	Self Reported Incidents	High	No	11/23/2010	11/23/2010	Based on interviews conducted and documentation reviewed, there is enough evidence to indicate caregivers have not used the minimal amount of reasonable and necessary force in some circumstances.
9/15/2010	748.2455(a)(2) - Emergency Behavior Intervention-Basis for EBI is an emergency situation or to administer medication	Reports	Medium High	No	10/29/2010	10/29/2010	A staff member attempted an escort of a child when the circumstances did not meet the definition of an emergency situation as defined in 748.2401 (5).
8/11/2010	748.2463(3) - Emergency Behavior Intervention-Never used as a means to get a child to comply	Reports	Medium High	No	9/24/2010	9/21/2010	A staff member initiated a restraint when a child would not back away from the staff member. At the time the restraint was performed, the child's behavior did not meet the definition of an emergency situation.

6/21/2010	745.625(7) - Background checks submitted - Every 24 months after each person's background check was first submitted	Monitoring Inspections	High	No	8/4/2010	7/13/2010	Background checks were not submitted within 24 months of the last submission dates for at least five employees.
6/3/2010	748.2463(3) - Emergency Behavior Intervention- Never used as a means to get a child to comply	Reports	Medium High	No	8/23/2010	8/23/2010	Staff used a short personal restraint on a child in care to get the child to comply with staff's request for the child to go outside of the dorm.
6/2/2010	748.507(1) - Employee general responsibilities- Demonstrate competency, prudent judgment, self-control in presence of children and when performing assigned tasks	Self Reported Incidents	Medium High	No	8/2/2010	7/22/2010	Staff did not demonstrate self control on 6/1/10 when they pushed a child in care because the child was too close to them.
5/20/2010	748.1101(b)(4) - Children's rights-Adhere to the child's rights to be free of abuse, neglect, and exploitation as defined in Texas Family Code 261.401	Self Reported Incidents	High	No	7/2/2010	7/22/2010	A caregiver neglected a child by not providing a level of supervision that was consistent with operation policy. Due to a lack of supervision, a child was able to huff gas, resulting a loss of consciousness and injury.
5/20/2010	745.615(a)(7) - Required background checks - Persons 14 years or older, other than clients, who will regularly or frequently be present while children are in care	Self Reported Incidents	High	No	6/25/2010	6/21/2010	A staff member's background check was past due. This background check should have been completed on 5/8/2010.
5/20/2010	748.685(b)(4) - Caregiver responsibility - when deciding how close to supervise take into account the surrounding circumstances, hazards, and risks	Self Reported Incidents	High	No	7/2/2010	7/22/2010	A child with a known history on inhalant use was allowed to work in a shed where gas containers were accessible. As a result, the child was able to huff gas fumes.

1/31/2010	745.625(a)(7) - Background checks submitted-every 24 months after first submitted	Self Reported Incidents	High	No	4/14/2010	3/30/2010	A background check for one of the employees interviewed for this case is overdue. The last time the operation requested a background check for this employee was on 12/13/07.
1/29/2010	748.507(1) - Employee general responsibilities- Demonstrate competency, prudent judgment, self-control in presence of children and when performing assigned tasks	Reports	Medium High	No	3/16/2010	4/14/2010	A staff member did not use good judgment when he joked around with a resident. He threatened to hit the resident with a broom and while they were physically playing around the resident was hit with the broom.
8/27/2009	748.2551(c)(2) - EBI Implementation-Caregiver must use the minimal amount of reasonable and necessary physical force	Reports	Medium High	No	10/12/2009	10/26/2009	On 8/23/09 a staff member placed their hand on a child's neck during the course of an emergency behavior intervention to stop the child from spitting. This action appears to have caused the child to experience pain in their neck. As per the operations CPI training coordinator, the staff member's hand should not have been on the child's neck in this situation.
7/6/2009	748.1113(a) - Child Rights searches-Child's possessions free of unreasonable searches and unreasonable removal of personal items	Self Reported Incidents	Medium High	No	8/21/2009	8/19/2009	Staff conducted an unreasonable search of residents' bunks when a book was found under the bunk of another resident, where it should not have been.
7/6/2009	748.2307(9) - Other Prohibited Punishments- subjecting a child to abusive	Self Reported Incidents	Medium High	No	8/21/2009	8/19/2009	A staff member subjected a resident to profane language while trying to get the resident to follow their orders.
7/6/2009	748.2463(3) - Emergency Behavior Intervention-Never used as a means to get a child to comply	Self Reported Incidents	Medium High	No	8/21/2009	8/19/2009	A staff member inappropriately initiated an emergency behavior intervention when a child refused to comply with staff and walk outside of the dorm. The child was not a danger to himself or others. Staff also showed a lack of self control in the manner in which they initiated the emergency behavior intervention on the child.
7/6/2009	748.1117 - Documentation of searches-Caregiver documents searches in the child's record	Self Reported Incidents	Medium High	Low	8/21/2009	12/4/2009	Residents' lockers and bunks were searched on two different occasions on 7/3/09. There is no documentation for these searches.

5/21/2010	748.507(1) - Employee general responsibilities-Demonstrate competency, prudent judgment, self-control in presence of children and when performing assigned tasks	Self Reported Incidents	Medium High	No	7/31/2009	8/19/2009	Based on interviews conducted and documentation reviewed, a direct care staff member did not demonstrate competency, prudent judgment, or self-control in the presence of children when her hand made contact with a resident's face. Another direct care staff member did not exhibit prudent judgment when he engaged in a power struggle with a resident.
5/13/2009	745.615(a)(3) - Required background checks-any persons counted in the Child/Caregiver Ratio, Including volunteers	Self Reported Incidents	High	No	6/8/2009	6/4/2009	A staff member involved in the incident on <u>5/12/09</u> did not have a current background check. (5/12/09 - Not Listed)
5/12/2009	Not Listed	Not Listed	Not Listed	Not Listed	Not Listed	Not Listed	Not Listed
4/2/2009	748.2551(b)(2) - EBI Implementation-The caregiver must consider the permitted types of emergency behavior intervention	Self Reported Incidents	Medium High	Yes	4/3/2009	Not Listed	An employee performed a physical restraint technique on a child in care which was not approved for use by the operation.
4/2/2009	748.2455(2) - Emergency Behavior Intervention-Basis for EBI is emergency situation, to administer medication, or property damage (short personal restraint only)	Self Reported Incidents	Medium	Yes	4/3/2009	Not Listed	An employee of the operation placed a child in a physical escort without cause. The situation was not deemed an emergency situation.
2/3/09	748.685(a)(3) - Caregiver responsibility - being aware of and accountable for each child's on-going activity	Self Reported Incidents	High	No	3/18/09	3/5/09	Based on interviews conducted and documentation reviewed, there is enough evidence to indicate the therapist/ employee was not aware of each child's on-going activity during multiple therapy sessions.
1/21/09	748.2307(1) - Other Prohibited Punishments-any harsh, cruel, unusual, unnecessary, demeaning, or humiliating discipline/punishment	Reports	High	No	3/5/09	4/2/09	Based on interviews conducted, there is enough evidence to indicate staff used prohibited discipline in this case.

12/3/08	748.931(2)(B) - Annual Training-Every 6 months a caregiver must complete at least 4 hours of training in EBI	Monitoring Inspections	Medium High	No	12/19/08	12/4/08	At least two staff records reviewed did not have documentation indicating EBI training was being completed every six months. In addition, at least one staff record did not have documentation indicating the overall annual training requirement for caregivers was met.
12/3/08	745.625(a)(7) - Background checks submitted-every 24 months after first submitted	Monitoring Inspections	High	No	12/19/08	12/30/08	At least one background check request is overdue.
12/3/08	748.981(a)(1) - First-aid-CPR training-Each caregiver must have current certification in first-aid & CPR appropriate for children served	Monitoring Inspections	High	No	12/19/08	12/30/08	At least one staff record reviewed did not have documentation showing CPR and First Aid certification is current.
11/25/08	748.303(a)(11)(A) - Serious Incident-Report to Licensing as soon as aware of a suicide attempt by a child	Self Reported Incidents	Medium	No	1/9/09	12/30/08	The operation did not report an incident in which a child in care tried to commit suicide; the child was not successful in the suicide attempt and staff responded appropriately and quickly.
9/9/08	748.2003(b)(3) - Administration of Medication-Administer medications according to label instructions or a prescribing health-care professional's subsequent orders	Self Reported Incidents	Medium High	No	10/21/08	10/31/08	Based on interviews conducted and documentation reviewed, direct care staff did not administer medication according to the label's instructions in this case. The name of the child to receive the Seroquel in this case was correct on the medication container; however, this medication was not administered to this child, but instead was administered to a different child eight times over a period of five consecutive days.
6/13/08	748.1101(b)(5) - Children's rights-Adhere to the child's rights to be free from any harsh, cruel, unusual, unnecessary, demeaning, or humiliating punishment	Self Reported Incidents	High	No	7/21/08	8/1/08	Staff member admitted to putting his hands on the child and pulling up his pants in front of his peers.
3/29/08	748.507(1) - Employee general responsibilities-Demonstrate competency, prudent judgment, self-control in presence of children and when performing assigned tasks	Reports	Medium High	No	5/7/08	8/1/08	Based on interviews conducted, there is enough evidence to indicate caregivers did not demonstrate prudent judgment and self-control in the presence of children in this case. Several contacts indicated personal restraints were performed by staff; however, the justification for these restraints is in question because the situations did not qualify as emergency situations.

3/29/08	748.2463(4) - Emergency Behavior Intervention-Never used as a convenience for caregivers or other persons	Reports	Medium High	No	5/7/08	8/1/08	Based on interviews conducted and documentation reviewed, there is enough evidence to indicate EBI was used as a convenience for caregivers.
3/24/08	745.625(a)(4) - Background checks submitted-every 24 months after first submitted	Assessments	High	No	4/3/08	4/2/08	Six employees did not have background checks resubmitted 24 months after the previous submissions.
3/12/08	748.863(a)(2) - Pre-Service Training-Must have 16 hrs EBI pre-service training or 8 hrs training if operation prohibits its use before being the only caregiver	Monitoring Inspections	Medium High	No	4/3/08	4/2/08	One staff record reviewed had documentation showing EBI training was completed in December 2007. Other documentation reviewed indicated the employee was hired in August 2007 and performed caregiver duties prior to obtaining the EBI training.
3/12/08	748.2203(c) - Medication Error-For medication errors, the operation must meet documentation requirements within 24 hrs	Monitoring Inspections	Medium	No	4/3/08	4/2/08	One child record reviewed did not fully document a medication error that occurred on 2/26/08.
3/12/08	748.3441(a) - Food Preparation-Food & drinks must be of safe quality, stored, prepared, distributed, & served under sanitary & safe conditions	Monitoring Inspections	Medium	Yes	4/3/08		Mold was found on cucumbers that were being stored in a refrigerator located near the front doors leading into the cafeteria.
3/12/08	748.989(a) - Documentation of first-aid and CPR certification-Document completion of each training requirement in the appropriate personnel records	Monitoring Inspections	Low	No	4/3/08	4/2/08	One staff record reviewed lacked documentation showing first-aid or CPR training had been completed.
2/8/08	748.685(a)(1) - Caregiver responsibility - knowing which children they are responsible for	Self Reported Incidents	Medium	No	3/20/08	4/2/08	Based on interviews conducted, there is evidence that a staff member did not know which children he was responsible for. Caregivers must know which children they are supervising.
1/14/08	748.2551(c)(1) - EBI Implementation-Caregiver must minimize risk of physical discomfort, harm, or pain to the child	Self Reported Incidents	Medium High	No	2/15/08	2/28/08	Evidence gathered supports that staff members did not minimize the risk of harm to the resident during the restraint, by restraining him in a prone position on a gravelly surface

1/14/08	748.2801(2)(C) - EBI Time Limits-Maximum length of time for a prone or supine personal restraint is one minute	Self Reported Incidents	High	No	2/15/08	2/28/08	Evidence gathered supports that the staff members implemented a prone restraint on the resident for a time exceeding one minute.
1/10/08	748.2461(a)(1) - Short Personal Restraint-Caregiver must minimize risk of physical discomfort, harm, or pain to child	Self Reported Incidents	Medium High	No	2/15/08	2/28/08	The evidence gathered supports that the staff member did not minimize the risk of harm to the resident while implementing a one person escort which resulted in the child sustaining facial injuries.
1/10/08	748.2551(c)(2) - EBI Implementation-Caregiver must use the minimal amount of reasonable and necessary physical force	Self Reported Incidents	Medium High	No	2/15/08	2/28/08	The evidence gathered supports that the amount of physical force used by the staff member during the physical hold was not a reasonable or minimal amount. The restraint implemented by the staff member resulted in the injury to the resident.
1/10/08	748.2463(3) - Emergency Behavior Intervention-Never used as a means to get a child to comply	Self Reported Incidents	Medium High	No	2/15/08	2/28/08	The evidence gathered supports that the staff member implemented the restraint due to the resident not complying with his orders to unclench his fists.
1/10/08	748.1101(b)(4) - Children's rights-Adhere to the child's rights to be free of abuse, neglect, and exploitation as defined in Texas Family Code 261.401	Self Reported Incidents	High	No	2/15/08	2/28/08	This standard was evaluated during this investigation and was found to be non compliant when it was determined that a staff person's actions was responsible for the injury to a child's face.
1/8/08	748.2551(c)(1) - EBI Implementation-Caregiver must minimize risk of physical discomfort, harm, or pain to the child	Self Reported Incidents	Medium High	No	2/21/08	2/7/08	By not implementing this restraint with a second staff member, a child sustained an injury.
1/8/08	748.2455(2)(A) - Emergency Behavior Intervention-Before using EBI, the caregiver must determine that the basis for EBI is an emergency situation	Self Reported Incidents	Medium	No	2/21/08	2/7/08	The child was not in a crisis situation and did not require an emergency intervention. {Editor Note: Staff performed unnecessary restraint of child, injuring child.}

12/30/07	748.685(a)(4) - Caregiver responsibility - providing the level of supervision necessary to ensure each child's safety and well-being	Self Reported Incidents	High	No	1/31/08	2/11/08	Contacts indicated one staff member was asleep off and on throughout the night of the incident. (Sexual Acting Out - Lack of Supervision) Contacts also indicated head counts required by Pegasus policy and/or procedure were not completed by staff. The level of supervision provided in this case did not meet the requirement of this standard.
10/1/07	748.1101(b)(1) - Children's rights-Adhere to the child's rights to appropriate care treatment in the least restrictive setting available that meets the child's needs	Reports	Medium High	No	11/6/07	11/28/07	Based on interviews conducted and documentation reviewed, a direct care staff member involved in this case did not provide appropriate care and treatment to the residents for which she was responsible. Evidence shows the staff member engaged in conversation of a sexual nature with residents.
10/1/07	748.685(a)(4) - Caregiver responsibility - providing the level of supervision necessary to ensure each child's safety and well-being	Reports	High	No	11/6/07	11/28/07	Based on interviews conducted and documentation reviewed, a direct care staff member involved in this case did not provide the level of supervision necessary to ensure each child's safety and well-being. Evidence shows residents were not being supervised on several occasions during off-campus trips.
9/27/07	748.303(a)(2)(A)(ii) - Serious Incident-Report to Licensing no later than 24 hours after injury/illness that warrants treatment by a medical professional or hospitalization	Assessments	Medium	No	10/10/07	10/1/07	On 9/23/07, a report was made to the hotline via the Internet. The report stated a resident sustained a "hairline fracture" to his wrist on 9/20/07 after he slipped and fell on the basketball court. On 9/27/07, at 11:40 a.m., I made a phone call to the reporter and the reporter confirmed the information provided by the Residential Child Care Licensing internal database (i.e., the report to the hotline was not made until Sunday, 9/23/07). This incident/occurrence should have been reported as soon as possible, but no later than 24 hours after the incident/occurrence.

8/3/07	748.685(a)(4) - Caregiver responsibility - providing the level of supervision necessary to ensure each child's safety and well-being	Self Reported Incidents	High	No	9/6/07	9/6/07	This standard was not met. Two incidents of sexually acting out occurred between two residents. During the first occurrence, the caregiver failed to provide the level of supervision necessary when the caregiver used their cell phone while supervising the children. The use of the phone was not work related, nor was it used for an emergency. This was the only caregiver supervising the children at the time of the incident. On the second occurrence, the caregiver did not provide the level of supervision necessary when they failed to ensure that the children followed the rules by keeping their hands in eyesight, while sitting at the same table in the dorm.
6/27/07	748.683(2) - Provide oversight of caregivers to ensure that assigned duties are performed adequately	Self Reported Incidents	Medium	No	8/7/07	12/4/07	The caregiver did not receive oversight from a superior to ensure that the assigned duties were performed adequately.
6/27/07	748.685(a)(3) - Caregiver responsibility - being aware of and accountable for each child's on-going activity	Self Reported Incidents	High	No	8/7/07	12/4/07	The caregiver was not aware of the child's activity when the child consumed psychotropic medication and left the dorm without permission. The caregiver acknowledged that he was responsible for supervising the child, who was on close observation. The caregiver stated that he walked into the office twice to get supplies while he was supervising the child. This action allowed the child the opportunity to access the medication and leave the dorm.
6/27/07	748.1101(b)(4) - Children's rights-Adhere to the child's rights to be free of abuse, neglect, and exploitation as defined in Texas Family Code 261.401	Self Reported Incidents	High	No	8/7/07	12/4/07	At the time of the incident, the resident was able to access and consume psychotropic medication. Based on the child's statement and the medication count, it was determined that the child consumed 15 tablets of Adderrall (20 mg each) and 15 tablets of Motrin (600 mg each).
6/27/07	748.2101(2) - Medication Storage-Keep medication inaccessible other than to employees responsible for stored medication	Self Reported Incidents	High	No	8/7/07	12/4/07	Caregiver used a personal cellular phone during work and in front of residents that had pictures of an exposed female.

5/4/07	748.505(a) - Minimum qualifications for employees- Behavior or health does not present a danger to children in care	Monitoring Inspections	Medium Low	No	5/4/07	6/11/07	Staff showed children in sexual abuse treatment center pornographic images that were on his cellular phone.
4/27/07	748.505(a) - Minimum qualifications for employees- Behavior or health does not present a danger to children in care	Reports	Medium Low	No	6/22/07	6/11/07	Caregiver used a personal cellular phone during work and in front of residents that had pictures of an exposed female.
4/27/07	748.507(1) - Employee general responsibilities- Demonstrate competency, prudent judgment, self-control in presence of children and when performing assigned tasks	Reports	Medium High	Yes	5/4/07		Children has access to pictures on staff cell phone of a women whose breast was exposed and other sexual acts.
4/27/07	748.1101(b)(4) - Children's rights-Adhere to the child's rights to be free of abuse, neglect, and exploitation as defined in Texas Family Code 261.401	Reports	High	No	5/17/07	6/11/07	Children has access to pictures on staff cell phone of a women whose breast was exposed and other sexual acts.

Source

http://www.dfps.state.tx.us/Child_Care/Search_Texas_Child_Care/CCLNET/Source/CPA/ppSearchTXChildCare2.aspx

Last reviewed on March 1, 2011