

Figure: 40 TAC Chapter 744

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Part 19. Department of Family and Protective Services	Part 1. Texas Health and Human Services Commission
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§744.2607. Are firearms or other weapons allowed at my operation?	§744.2607. Are firearms or other weapons allowed at my operation?
§744.2609. May I have toys or other types of equipment that explode or shoot things?	§744.2609. May I have toys or other types of equipment that explode or shoot things?
Subchapter L. Safety Practices	Subchapter L. Safety Practices
Division 2. Medication and Medical Assistance	Division 2. Medication and Medical Assistance
§744.2651. What does "medication" refer to in this division?	§744.2651. What does "medication" refer to in this division?
§744.2653. What authorization must I obtain before administering a medication to a child in my care?	§744.2653. What authorization must I obtain before administering a medication to a child in my care?
§744.2655. How must I administer medication to a child in my care?	§744.2655. How must I administer medication to a child in my care?
§744.2657. How must I store medication that I administer to a child?	§744.2657. How must I store medication that I administer to a child?
§744.2659. How long may I keep the medication that I administer to a child?	§744.2659. How long may I keep the medication that I administer to a child?
§744.2661. Do I have to notify parents if I do not want to administer medications?	§744.2661. Do I have to notify parents if I do not want to administer medications?

§744.2663. What is specialized medical assistance?	§744.2663. What is specialized medical assistance?
§744.2665. What are my requirements regarding specialized medical assistance?	§744.2665. What are my requirements regarding specialized medical assistance?
§744.2667. What is a food allergy emergency plan?	§744.2667. What is a food allergy emergency plan?
§744.2669. When must I have a food allergy emergency plan for a child?	§744.2669. When must I have a food allergy emergency plan for a child?
Subchapter L. Safety Practices	Subchapter L. Safety Practices
Division 3. Animals at the Operation	Division 3. Animals at the Operation
§744.2701. What steps must I take to have animals at my operation and/or on a field trip?	§744.2701. What steps must I take to have animals at my operation and/or on a field trip?
§744.2703. Must I keep documentation of vaccinations on file for the animals?	§744.2703. Must I keep documentation of vaccinations on file for the animals?
§744.2705. Must I prevent children from having contact with certain animals while at my operation?	§744.2705. Must I prevent children from having contact with certain animals while at my operation?
Subchapter L. Safety Practices	Subchapter L. Safety Practices
Division 4. First-Aid Kits	Division 4. First-Aid Kits
§744.2751. Must I have a first-aid kit at my operation?	§744.2751. Must I have a first-aid kit at my operation?
§744.2753. What items must each first-aid kit contain?	§744.2753. What items must each first-aid kit contain?
Subchapter L. Safety Practices	Subchapter L. Safety Practices
Division 5. Release of Children	Division 5. Release of Children
§744.2801. To whom may I release children?	§744.2801. To whom may I release children?
§744.2803. How do my employees verify the identity of a parent or a person a parent has designated to pick up the child?	§744.2803. How do my employees verify the identity of a parent or a person a parent has designated to pick up the child?
Subchapter M. Physical Facilities	Subchapter M. Physical Facilities
Division 1. Indoor Space Requirements	Division 1. Indoor Space Requirements
§744.2901. How many square feet of indoor activity space must I have for children?	§744.2901. How many square feet of indoor activity space must I have for children?
§744.2903. Must I limit the number of children in each room based on the indoor activity space measurements for that room?	§744.2903. Must I limit the number of children in each room based on the indoor activity space measurements for that room?
§744.2905. Do these indoor activity space requirements apply to my operation if it was licensed before September 1, 2010?	§744.2905. Do these indoor activity space requirements apply to my operation if it was licensed before September 1, 2010?
§744.2907. How does Licensing determine the indoor activity space?	§744.2907. How does Licensing determine the indoor activity space?
§744.2909. May other programs use my indoor activity space at the same time I have children in care?	§744.2909. May other programs use my indoor activity space at the same time I have children in care?
§744.2911. May I care for children above or below ground level?	§744.2911. May I care for children above or below ground level?
Subchapter M. Physical Facilities	Subchapter M. Physical Facilities
Division 2. Outdoor Space Requirements	Division 2. Outdoor Space Requirements
§744.2951. How many square feet of outdoor activity space must I have?	§744.2951. How many square feet of outdoor activity space must I have?
§744.2953. Must I fence the outdoor activity space?	§744.2953. Must I fence the outdoor activity space?
§744.2955. How many exits must I have from my fenced outdoor activity space?	§744.2955. How many exits must I have from my fenced outdoor activity space?
§744.2957. May I keep the gates leading into my outdoor activity space locked while children are in care?	§744.2957. May I keep the gates leading into my outdoor activity space locked while children are in care?
§744.2959. Must the outdoor activity space be connected to the operation?	§744.2959. Must the outdoor activity space be connected to the operation?
§744.2961. Must I comply with additional requirements if my plan to use an outdoor activity	§744.2961. Must I comply with additional requirements if my plan to use an outdoor activity

space not connected to my operation is approved by Licensing?	space not connected to my operation is approved by Licensing?
§744.2963. May other programs use my outdoor activity space at the same time I have children in care?	§744.2963. May other programs use my outdoor activity space at the same time I have children in care?
Subchapter M. Physical Facilities	Subchapter M. Physical Facilities
Division 3. Toilets and Sinks	Division 3. Toilets and Sinks
§744.3001. How many hand-washing sinks must I have in my operation for children's use?	§744.3001. How many hand-washing sinks must I have in my operation for children's use?
§744.3003. Where must I locate the hand-washing sinks for children's use?	§744.3003. Where must I locate the hand-washing sinks for children's use?
§744.3005. How many toilets am I required to have in my operation?	§744.3005. How many toilets am I required to have in my operation?
§744.3007. Where must the toilets be located?	§744.3007. Where must the toilets be located?
§744.3009. May I count urinals in the ratio of children to toilets?	§744.3009. May I count urinals in the ratio of children to toilets?
§744.3011. Do I have to use toilets, sinks and fountains that are child sized?	§744.3011. Do I have to use toilets, sinks and fountains that are child sized?
§744.3013. May the doors to the restroom or toilets have locks on them?	§744.3013. May the doors to the restroom or toilets have locks on them?
§744.3015. May other programs use the toilets and hand washing sinks counted in my indoor activity space at the same time I have children in care?	§744.3015. May other programs use the toilets and hand washing sinks counted in my indoor activity space at the same time I have children in care?
Subchapter M. Physical Facilities	Subchapter M. Physical Facilities
Division 4. Telephone	Division 4. Telephone
§744.3051. Must I have a telephone at my operation?	§744.3051. Must I have a telephone at my operation?
Subchapter M. Physical Facilities	Subchapter M. Physical Facilities
Division 5. Indoor Lofts	Division 5. Indoor Lofts
§744.3071. May I have indoor lofts?	§744.3071. May I have indoor lofts?
Subchapter N. Indoor and Outdoor Active Play Space and Equipment	Subchapter N. Indoor and Outdoor Active Play Space and Equipment
Division 1. Minimum Safety Requirements	Division 1. Minimum Safety Requirements
§744.3101. What minimum safety requirements must my active play equipment meet?	§744.3101. What minimum safety requirements must my active play equipment meet?
§744.3103. What additional safety requirements must my indoor equipment meet?	§744.3103. What additional safety requirements must my indoor equipment meet?
§744.3105. Are there some types of equipment that children must not use?	§744.3105. Are there some types of equipment that children must not use?
§744.3107. Are there additional equipment restrictions for children younger than five years of age?	§744.3107. Are there additional equipment restrictions for children younger than five years of age?
§744.3109. What is the maximum height of the highest designated play surface allowed?	§744.3109. What is the maximum height of the highest designated play surface allowed?
§744.3111. What is the maximum height allowed for the highest designated play surface if my operation was licensed before September 1, 2010?	§744.3111. What is the maximum height allowed for the highest designated play surface if my operation was licensed before September 1, 2010?
§744.3113. What special maintenance procedures must I follow for my active play space and equipment?	§744.3113. What special maintenance procedures must I follow for my active play space and equipment?
Subchapter N. Indoor and Outdoor Active Play Space and Equipment	Subchapter N. Indoor and Outdoor Active Play Space and Equipment
Division 2. Swings	Division 2. Swings
§744.3151. What are the safety requirements for swings?	§744.3151. What are the safety requirements for swings?
§744.3153. Are there additional safety requirements for tire swings or other multi-axis swings?	§744.3153. Are there additional safety requirements for tire swings or other multi-axis swings?

Subchapter N. Indoor and Outdoor Active Play Space and Equipment	Subchapter N. Indoor and Outdoor Active Play Space and Equipment
Division 3. Use Zones	Division 3. Use Zones
§744.3201. What does Licensing mean by the term "use zone"?	§744.3201. What does Licensing mean by the term "use zone"?
§744.3203. How do I measure the use zone for stationary equipment?	§744.3203. How do I measure the use zone for stationary equipment?
§744.3205. How do I measure the use zone for slides?	§744.3205. How do I measure the use zone for slides?
§744.3207. How do I measure the use zone for to-fro swings?	§744.3207. How do I measure the use zone for to-fro swings?
§744.3209. How do I measure the use zone for tire swings?	§744.3209. How do I measure the use zone for tire swings?
§744.3211. How do I measure the use zone for bucket swings?	§744.3211. How do I measure the use zone for bucket swings?
§744.3213. How do I measure the use zone for rotating or rocking equipment?	§744.3213. How do I measure the use zone for rotating or rocking equipment?
§744.3215. Do the use zone requirements apply to my operation if it was licensed before September 1, 2003?	§744.3215. Do the use zone requirements apply to my operation if it was licensed before September 1, 2003?
Subchapter N. Indoor and Outdoor Active Play Space and Equipment	Subchapter N. Indoor and Outdoor Active Play Space and Equipment
Division 4. Surfacing	Division 4. Surfacing
§744.3251. What type of surfacing must I have under my active play equipment?	§744.3251. What type of surfacing must I have under my active play equipment?
§744.3253. What are acceptable loose-fill surfacing materials?	§744.3253. What are acceptable loose-fill surfacing materials?
§744.3255. How should outdoor loose-fill surfacing materials be installed?	§744.3255. How should outdoor loose-fill surfacing materials be installed?
§744.3259. What are unitary surfacing materials?	§744.3259. What are unitary surfacing materials?
§744.3261. How should unitary surfacing materials be installed?	§744.3261. How should unitary surfacing materials be installed?
§744.3263. What documentation must I keep at the operation if I use unitary surfacing materials?	§744.3263. What documentation must I keep at the operation if I use unitary surfacing materials?
Subchapter N. Indoor and Outdoor Active Play Space and Equipment	Subchapter N. Indoor and Outdoor Active Play Space and Equipment
Division 5. Soft Contained Play Equipment	Division 5. Soft Contained Play Equipment
§744.3301. What is soft contained play equipment?	§744.3301. What is soft contained play equipment?
§744.3303. Are there additional safety requirements for soft contained play equipment?	§744.3303. Are there additional safety requirements for soft contained play equipment?
§744.3305. How do I measure the use zone for soft contained play equipment?	§744.3305. How do I measure the use zone for soft contained play equipment?
Subchapter N. Indoor and Outdoor Active Play Space and Equipment	Subchapter N. Indoor and Outdoor Active Play Space and Equipment
Division 6. Inflatables	Division 6. Inflatables
§744.3351. May I use inflatable active play equipment?	§744.3351. May I use inflatable active play equipment?
Subchapter O. Swimming Pools, Wading/Splashing Pools, and Sprinkler Play	Subchapter O. Swimming Pools, Wading/Splashing Pools, and Sprinkler Play
§744.3401. What safety precautions must I follow when children in my care use a swimming pool?	§744.3401. What safety precautions must I follow when children in my care use a swimming pool?
§744.3403. How should the swimming pool be built and maintained?	§744.3403. How should the swimming pool be built and maintained?
§744.3405. Do the same safety precautions apply for above-ground pools?	§744.3405. Do the same safety precautions apply for above-ground pools?

§744.3407. Must I have a fence around a swimming pool at my operation?	§744.3407. Must I have a fence around a swimming pool at my operation?
§744.3411. What are the safety requirements for wading pools?	§744.3411. What are the safety requirements for wading pools?
§744.3413. Are there specific safety requirements for sprinkler play?	§744.3413. Are there specific safety requirements for sprinkler play?
§744.3415. Can children in my care swim in a body of water other than a swimming pool, such as a lake, pond, or river?	§744.3415. Can children in my care swim in a body of water other than a swimming pool, such as a lake, pond, or river?
Subchapter P. Fire Safety and Emergency Practices	Subchapter P. Fire Safety and Emergency Practices
Division 1. Fire Inspection	Division 1. Fire Inspection
§744.3501. Must my operation have an annual fire inspection?	§744.3501. Must my operation have an annual fire inspection?
§744.3503. How do I document that a fire inspection has been completed?	§744.3503. How do I document that a fire inspection has been completed?
§744.3505. Must I make all corrections specified in the fire-inspection report?	§744.3505. Must I make all corrections specified in the fire-inspection report?
Subchapter P. Fire Safety and Emergency Practices	Subchapter P. Fire Safety and Emergency Practices
Division 2. Emergency Preparedness	Division 2. Emergency Preparedness
§744.3551. What is an emergency preparedness plan?	§744.3551. What is an emergency preparedness plan?
§744.3553. What must my emergency preparedness plan include?	§744.3553. What must my emergency preparedness plan include?
§744.3557. Who must coordinate the implementation of an emergency preparedness plan?	§744.3557. Who must coordinate the implementation of an emergency preparedness plan?
§744.3559. Must I practice my emergency preparedness plans?	§744.3559. Must I practice my emergency preparedness plans?
§744.3561. Must I have an emergency evacuation and relocation diagram?	§744.3561. Must I have an emergency evacuation and relocation diagram?
§744.3563. How many exits must my operation have?	§744.3563. How many exits must my operation have?
§744.3565. Must I have emergency lighting in case of an emergency evacuation?	§744.3565. Must I have emergency lighting in case of an emergency evacuation?
Subchapter P. Fire Safety and Emergency Practices	Subchapter P. Fire Safety and Emergency Practices
Division 3. Fire Extinguishing and Smoke Detection Systems	Division 3. Fire Extinguishing and Smoke Detection Systems
§744.3601. Must my operation have a fire-extinguishing system?	§744.3601. Must my operation have a fire-extinguishing system?
§744.3603. Who must approve my fire-extinguishing system?	§744.3603. Who must approve my fire-extinguishing system?
§744.3605. Where must I mount fire extinguishers?	§744.3605. Where must I mount fire extinguishers?
§744.3607. How often must I inspect and service the fire extinguisher(s)?	§744.3607. How often must I inspect and service the fire extinguisher(s)?
§744.3609. How often must I inspect a sprinkler system?	§744.3609. How often must I inspect a sprinkler system?
§744.3611. Must my operation have a smoke-detection system?	§744.3611. Must my operation have a smoke-detection system?
§744.3613. Who must approve my operation's smoke-detection system?	§744.3613. Who must approve my operation's smoke-detection system?
§744.3615. How often must I have an electronic smoke alarm system tested?	§744.3615. How often must I have an electronic smoke alarm system tested?
§744.3617. How must smoke detectors be installed at my operation?	§744.3617. How must smoke detectors be installed at my operation?
§744.3619. How often must the smoke detectors at my operation be tested?	§744.3619. How often must the smoke detectors at my operation be tested?
Subchapter P. Fire Safety and Emergency Practices	Subchapter P. Fire Safety and Emergency Practices

Division 4. Gas and Propane Tanks	Division 4. Gas and Propane Tanks
§744.3651. Must my operation be inspected for gas leaks?	§744.3651. Must my operation be inspected for gas leaks?
§744.3653. Who must conduct the inspection for gas leaks?	§744.3653. Who must conduct the inspection for gas leaks?
§744.3655. How do I document that a gas leak inspection has been completed?	§744.3655. How do I document that a gas leak inspection has been completed?
§744.3657. Must I make all corrections specified in the gas inspection report?	§744.3657. Must I make all corrections specified in the gas inspection report?
Subchapter P. Fire Safety and Emergency Practices	Subchapter P. Fire Safety and Emergency Practices
Division 5. Heating Devices	Division 5. Heating Devices
§744.3701. What steps must I take to ensure that heating devices do not present hazards to children?	§744.3701. What steps must I take to ensure that heating devices do not present hazards to children?
Subchapter P. Fire Safety and Emergency Practices	Subchapter P. Fire Safety and Emergency Practices
Division 6. Carbon Monoxide Detection Systems	Division 6. Carbon Monoxide Detection Systems
§744.3751. Must my operation have a carbon monoxide detection system?	§744.3751. Must my operation have a carbon monoxide detection system?
§744.3753. What type of carbon monoxide detection system must I install?	§744.3753. What type of carbon monoxide detection system must I install?
§744.3755. How many carbon monoxide detectors must be installed in my operation?	§744.3755. How many carbon monoxide detectors must be installed in my operation?
§744.3757. How often must I inspect and service the carbon monoxide detection system?	§744.3757. How often must I inspect and service the carbon monoxide detection system?
Subchapter Q. Transportation	Subchapter Q. Transportation
§744.3801. What types of transportation does Licensing regulate?	§744.3801. What types of transportation does Licensing regulate?
§744.3803. What type of vehicle may I use to transport children?	§744.3803. What type of vehicle may I use to transport children?
§744.3805. What safety precautions must I take when loading and unloading children from the vehicle?	§744.3805. What safety precautions must I take when loading and unloading children from the vehicle?
§744.3807. What child passenger safety seat system must I use when I transport children?	§744.3807. What child passenger safety seat system must I use when I transport children?
§744.3809. Must caregivers and/or the driver wear a safety belt?	§744.3809. Must caregivers and/or the driver wear a safety belt?
§744.3811. May parents provide the safety seat equipment required for their child?	§744.3811. May parents provide the safety seat equipment required for their child?
§744.3813. May I place more than one person in each safety belt?	§744.3813. May I place more than one person in each safety belt?
§744.3815. May a child ride in a safety belt with a shoulder harness?	§744.3815. May a child ride in a safety belt with a shoulder harness?
§744.3817. Must I carry specific information and equipment in the vehicles used to transport children in my care?	§744.3817. Must I carry specific information and equipment in the vehicles used to transport children in my care?
§744.3819. What plan must I have for transportation emergencies?	§744.3819. What plan must I have for transportation emergencies?
§744.3821. What communication requirements are there for a vehicle used to transport children?	§744.3821. What communication requirements are there for a vehicle used to transport children?