

# TABLES & GRAPHICS

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Graphic images included in rules are published separately in this tables and graphics section. Graphic images are arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic images are indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word “Figure” followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph, and so on.

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Figure: 26 TAC §744.1301(a)

<b>Type of training:</b>	<b>Who is required to take the training?</b>	<b>When must the training be completed?</b>
(1)(A) Orientation to your operation as required by §744.1303 of this division (relating to What must orientation for employees at my operation include?).	(B) Each employee.	(C) Within seven days of employment and before having unsupervised access to a child in care.
(2)(A) Eight clock hours of pre-service training as required by §744.1305 of this division (relating to What areas of training must the pre-service training for caregivers cover?).	(B) Each non-exempt caregiver. A caregiver may be exempt from pre-service training as specified in §744.1307 of this division (relating to Are any caregivers exempt from the pre-service training?).	(C) For non-exempt caregivers, within 90 days of employment and before being counted in the child/caregiver ratio.
(3)(A) Pediatric first aid with rescue breathing and choking as required by §744.1315(a) of this division (relating to Who must have pediatric first aid and pediatric CPR training?).	(B) Each caregiver, site director, program director, and operation director.	(C)(i) Within 90 days of employment and before having unsupervised access to a child in care; and  (C)(ii) The person must stay current in this training.
(4)(A) Pediatric CPR as required by §744.1315(b) of this division.	(B) Each caregiver, site director, program director, and operation director.	(C)(i) Within 90 days of employment; and  (C)(ii) The person must stay current in this training.
(5)(A) 15 clock hours of annual training as required by §744.1309 of this division (relating to What areas of training must the annual training for caregivers and site directors cover?).	(B) Each caregiver and site director.	(C)(i) Within 12 months of employment; and  (C)(ii) During each 12-month period, and as further required by §744.1313 of this division (relating to When must annual training for my caregivers and director be obtained?).

<p>(6)(A) 20 clock hours of annual training as required by §744.1311 of this division (relating to What areas of training must the annual training for an operation director or a program director cover?).</p>	<p>(B) Each program director or operation director.</p>	<p>(C)(i) Within 12 months of employment; and  (C)(ii) During each 12-month period, and as further required by §744.1313 of this division.</p>
<p>(7)(A) Two clock hours of transportation <u>safety</u> training as required by §744.1317 of this division (relating to What additional training must an employee and director have if the operation transports children?).</p>	<p>(B)(i) The site director, and program director or operation director, if the operation transports a child whose chronological or developmental age is younger than nine years old; and  (B)(ii) Each employee who transports a child whose chronological or developmental age is younger than nine years old.</p>	<p>(C)(i) Prior to transporting children; and  (C)(ii) Annually thereafter.</p>
<p><u>(8)(A) Water safety training as required by §744.1318 of this division (relating to What additional training must an employee and director have if the operation allows a child to access a swimming pool at or away from the operation?)</u></p>	<p><u>(B)(i) The site director, and program director or operation director, if the operation allows a child to access a swimming pool at or away from the operation; and</u>  <u>(B)(ii) Each employee who accompanies a child to a swimming pool at or away from the center.</u></p>	<p><u>(C)(i) Prior to accompanying a child to a swimming pool; and</u>  <u>(C)(ii) Annually thereafter.</u></p>

Figure: 26 TAC §744.1403(a)

<b>Type of training:</b>	<b>Who is required to take the training?</b>	<b>When must the training be completed?</b>
(1)(A) Orientation to your child-care operation, as required by §744.1303 of this subchapter (relating to What must orientation for employees at my operation include?).	(B)(i) Each substitute;  (B)(ii) Each contractor; and  (B)(iii) Each volunteer, except as noted in §744.1401(d) of this division (relating to What minimum standards must substitutes, volunteers, or contractors comply with?).	(C) Before beginning the relevant duties.
(2)(A) Eight clock hours of pre-service training, as required by §744.1305 of this subchapter (relating to What areas of training must the pre-service training for caregivers cover?).	(B) Each substitute, volunteer, and contractor who is counted in the child to caregiver ratio, except as noted in §744.1401(d) of this division.	(C)(i) Before the substitute, volunteer, or contractor may be counted in the child to caregiver ratio; and  (C)(ii) Within 90 days of beginning the relevant caregiver duties.
(3)(A) Pediatric first aid with rescue breathing as required by 744.1315(a) of this subchapter (relating to Who must have pediatric first-aid and pediatric CPR training?).	(B) Each substitute, volunteer, and contractor who is counted in the child to caregiver ratio, except as noted in §744.1401(d) of this division.	(C)(i) Within 90 days of beginning the relevant caregiver duties and before having unsupervised access to a child in care; and  (C)(ii) The person must stay current in this training.
(4)(A) Pediatric CPR as required by §744.1315(b) of this subchapter.	(B) Each substitute, volunteer, and contractor who is counted in the child to caregiver ratio, except as noted in §744.1401(d) of this division.	(C)(i) Within 90 days of beginning the relevant caregiver duties; and  (C)(ii) The person must stay current in this training.

<p>(5)(A) 15 hours of annual clock training as required by §744.1309 of this subchapter (relating to What areas of training must the annual training for caregivers and site directors cover?).</p>	<p>(B) Each substitute, volunteer, and contractor who is counted in the child to caregiver ratio, except as noted in §744.1401(d) of this division.</p>	<p>(C)(i) Within 12 months of beginning the relevant caregiver duties; and</p> <p>(C)(ii) During each 12-month period, as further required by §744.1313 of this subchapter (relating to When must annual training for my caregivers and director be obtained?).</p>
<p>(6)(A) Two clock hours of transportation <u>safety</u> training as required by §744.1317 of this subchapter (relating to What additional training must an employee and director have if the operation transports children?).</p>	<p>(B) Each substitute, volunteer, and contractor who transports a child whose chronological or developmental age is younger than nine years old.</p>	<p>(C)(i) Prior to transporting children; and</p> <p>(C)(ii) Annually, thereafter.</p>
<p>(7)(A) <u>Water safety training as required by §744.1318 of this subchapter (relating to What additional training must an employee and director have if the operation allows a child to access a swimming pool at or away from the operation?).</u></p>	<p><u>(B) Each substitute, volunteer, and contractor who accompanies a child to a swimming pool at or away from the operation.</u></p>	<p><u>(C)(i) Prior to accompanying a child to a swimming pool; and</u></p> <p><u>(C)(ii) Annually thereafter.</u></p>

Figure: 26 TAC §745.37(1)

Types of Child Day-Care Operations	Description of Operation	Type of Permit
(A) Listed Family Home	<p>A caregiver at least 18 years old that provides care in <u>the caregiver's [her]</u> own home for compensation, for three or fewer children unrelated to the caregiver, birth through 13 years, for at least:</p> <p>(i) four hours a day, three or more days a week, for three or more consecutive weeks; or</p> <p>(ii) four hours a day for 40 or more days in a period of 12 months.</p> <p>The total number of children in care, including children related to the caregiver, may not exceed 12.</p>	Listing (A caregiver who is subject to regulation as a listed family home may instead become a registered family home.)
(B) Registered Child-Care Home	<p>The primary caregiver provides regular care in the <u>primary caregiver's own home [residence]</u> for <u>up to [not more than] six unrelated children</u> from birth through 13 years[7] and may provide care after school hours for not more than six additional elementary school children, <u>for at least:</u></p> <p><u>(i) four hours a day, three or more days a week, for three or more consecutive weeks; or</u></p> <p><u>(ii) four hours a day for 40 or more days in a period of 12 months.</u></p> <p>The total number of children in care at any given time, including the children related to the caregiver, must not exceed 12.</p>	Registration
(C) Licensed Child-Care Home	<p>The primary caregiver provides care in the <u>primary caregiver's own home [residence]</u> for <u>seven to twelve</u></p>	License

	<p>children from birth through 13 years, for less than 24 hours a day, but at least two hours a day, three or more days a week.</p> <p>The total number of children in care varies with the ages of the children, but the total number of children in care at any given time, including the children related to the caregiver, must not exceed 12.</p>	
(D) <u>Licensed</u> Child-Care Center	An operation providing care at a location other than the <del>[permit holder's]</del> home of the director, owner, or operator, for seven or more children under 14 years of age, for less than 24 hours a <del>[per]</del> day, but at least two hours a day, three or more days a week.	License
<del>[(E) Employer-Based Child Care]</del>	<del>[A small employer providing care for up to 12 of the employees' children that are under 14 years of age, for less than 24 hours per day. The care is located on the employer's premises and in the same building where the parents work.]</del>	<del>[Compliance Certificate]</del>
<del>[(F) Shelter Care]</del>	<del>[A child care program at a temporary shelter, such as a family violence or homeless shelter, providing care for seven or more children under 14 years of age while the resident parent is away from the shelter. The child care program operates for at least four hours a day three days a week.]</del>	<del>[Compliance Certificate]</del>
(E) <del>{G}</del> Before or After-School Program	An operation that provides care to children who attend pre-kindergarten through grade six <del>[before, or after, or before and after, the customary school day and during school holidays,]</del> for at least two hours a day, <del>[and]</del> three or more days a week <del>[, to children who attend pre-kindergarten through grade six].</del>	License
	A program may operate before,	

	<u>after, or before and after the customary school day and during school holidays.</u>	
<u>(F)[(H)] School-Age Program</u>	<p>An operation that provides supervision and recreation, skills instruction, or skills training <u>to children who attend pre-kindergarten through grade six</u> for at least two hours a day, <del>[and]</del> <u>three or more days a week</u> <del>[to children attending pre-kindergarten through grade six].</del></p> <p>A <del>[school-age]</del> <u>program may operate</u> <del>[operates]</del> <u>before, [or] after, or before and after</u> the customary school day and <del>[may also operate]</del> during school holidays, the summer period, or any other time when school is not in session.</p>	License
<u>(G) Employer-Based Child Care</u>	<u>A small employer providing care for up to 12 of the employees' children that are under 14 years of age, for less than 24 hours a day. The care is located on the employer's premises and in the same building where the parents work.</u>	<u>Compliance Certificate</u>
<u>(H) Shelter Care</u>	<u>A child-care program at a temporary shelter, such as a family violence or homeless shelter, providing care for seven or more children under 14 years of age while the resident parent is away from the shelter. The child-care program operates for at least four hours a day three or more days a week.</u>	<u>Compliance Certificate</u>



Figure: 26 TAC §745.37(2)

Types of Residential Child-Care Operations	Description	Type of Permit
[(A) Foster Family Home (Independent)]	[An operation that provides care for six or fewer children up to the age of 18 years.]	[License]
[(B) Foster Group Home (Independent)]	[An operation that provides care for seven to 12 children up to the age of 18 years.]	[License]
(A)[(C)] General Residential Operation	<p>An operation that provides [child] care for <u>seven</u> [13] or more children up to the age of 18 years. The care <u>must</u> [may] include <u>child-care services and may also include programmatic services or treatment services.</u></p> <p>Residential treatment centers are a type of general residential operation.</p> <p><u>After obtaining a license for a general residential operation, an operation may apply for a certificate for a psychiatric residential youth treatment facility (PRYTF) as defined at §745.9051 of this chapter (relating to What do the following words and terms mean when used in this subchapter?). A PRYTF may provide psychiatric health treatments and services to individuals 21 years of age and younger.</u></p>	License
(B)[(D)] Child-Placing Agency (CPA)	A person, agency, or organization, other than a parent, who places or plans for the placement of a child in an adoptive home, foster home, or other residential care setting.	License
(C)[(E)] [Child-Placing Agency] Foster	An operation that a CPA verifies and regulates, is the primary	Verification that a CPA issues. [(The CPA

[Family]Home (also known as a "foster family home" or an "agency foster home")	residence of the foster parents, and provides care for six or fewer children, up to the age of 18 years[ <del>-, under the regulation of a child placing agency].</del>	<del>issues this. A CPA regulates its own foster family homes.}</del>
[ <del>(F) Child Placing Agency Foster Group Home]</del>	<del>[An operation that provides care for seven to 12 children, up to the age of 18 years, under the regulation of a child placing agency.]</del>	<del>[Verification (The CPA issues this. A CPA regulates its own foster group homes.)]</del>

Figure: 26 TAC §745.9075

Type and Amount of Fee	When the Fee is Due	Consequences for Failure to Pay a Fee on Time
(1) PRYTF Certificate Application Fee: \$890	Before we accept your application.	We will return your application as incomplete.
(2) PRYTF Certificate Renewal Fee: \$740	On the biennial anniversary of the date we issued your certificate.	If you do not pay your fee when it is due, we will not renew your certificate.

Figure: 26 TAC §745.9093(c)

Number of individuals in a PRYTF	Maximum amount of penalty
20 or less	\$100
21-40	\$150
41-60	\$200
61-80	\$250
81-100	\$375
More than 100	\$500

Figure: 26 TAC §746.1301(a)

<b>Type of training:</b>	<b>Who is required to take the training?</b>	<b>When must the training be completed?</b>
(1)(A) Orientation to your child-care center as required by §746.1303 of this division (relating to What must orientation for employees at my child-care center include?).	(B) Each employee.	(C) Within seven days of employment and before having unsupervised access to a child in care.
(2)(A) 24 clock hours of pre-service training as required by §746.1305 of this division (relating to What must be covered in pre-service training for caregivers?).	(B) Each nonexempt caregiver. A caregiver may be exempt from pre-service training as specified in §746.1307 of this division (relating to Are any caregivers exempt from the pre-service training?).	(C) For nonexempt caregivers:  (i) Eight hours before the caregiver may be counted in the child/caregiver ratio; and  (ii) 16 hours within 90 days of employment.
(3)(A) Pediatric first aid with rescue breathing as required by §746.1315(a) of this division (relating to Who must have pediatric first-aid and pediatric CPR training?).	(B) Each caregiver and child-care center director.	(C)(i) Within 90 days of employment and before having unsupervised access to a child in care; and  (C)(ii) The person must stay current in this training.
(4)(A) Pediatric CPR as required by §746.1315(b) of this division.	(B) Each caregiver and child-care center director.	(C)(i) Within 90 days of employment; and  (C)(ii) The person must stay current in this training.
(5) 24 clock hours of annual training as required by §746.1309 of this division (relating to What areas of training must the annual training for caregivers cover?).	(B) Each caregiver.	(C)(i) Within 12 months of employment; and  (C)(ii) During each 12-month period, and as further required by §746.1313 of this division (relating to When must annual

		training for my caregivers and director be obtained?).
(6)(A) 30 clock hours of annual training as required by §746.1311 of this division (relating to What areas of training must the annual training for my child-care center director cover?).	(B) A child-care center director.	(C)(i) Within 12 months of employment; and  (C)(ii) During each 12-month period, and as further required by §746.1313 of this division.
(7)(A) Two clock hours of transportation <u>safety</u> training as required by §746.1316 of this division (relating to What additional training must an employee and director have if the operation transports children?).	(B)(i) The child-care center director, if the center transports a child whose chronological or developmental age is younger than nine years old; and  (B)(ii) Each employee who transports a child whose chronological or developmental age is younger than nine years old.	(C)(i) Prior to transporting children; and  (C)(ii) Annually thereafter.
(8)(A) <u>Water safety training as required by §746.1325 of this division (relating to What additional training must an employee and director have if the child-care center allows a child to access a swimming pool at or away from the center?)</u>	(B)(i) <u>The child-care center director, if the center allows a child to access a swimming pool at or away from the center; and</u>  (B)(ii) <u>Each employee who accompanies a child to a swimming pool at or away from the center.</u>	(C)(i) <u>Prior to accompanying a child to a swimming pool; and</u>  (C)(ii) <u>Annually thereafter.</u>

Figure: 26 TAC §746.1403(a)

<b>Type of training:</b>	<b>Who is required to take the training?</b>	<b>When must the training be completed?</b>
(1)(A) Orientation to your child-care center as required by §746.1303 of this subchapter (relating to What must orientation for employees at my child-care center include?).	(B)(i) Each substitute;  (B)(ii) Each contractor; and  (B)(iii) Each volunteer, except as noted in §746.1401(d) of this division (relating to What minimum standards must substitutes, volunteers, or persons under contract with my center comply with?).	(C) Before beginning the relevant duties.
(2)(A) 24 clock hours of pre-service training as required by §746.1305 of this subchapter (relating to What must be covered in pre-service training for caregivers?).	(B) Each substitute, volunteer, and contractor who is counted in the child to caregiver ratio, except as noted in §746.1401(d) of this division.	(C)(i) 8 hours before the substitute, volunteer, or contractor may be counted in the child to caregiver ratio; and  (C)(ii) 16 hours within 90 days of beginning the relevant caregiver duties.
(3)(A) Pediatric first aid with rescue breathing, as required by 746.1315(a) of this subchapter (relating to Who must have pediatric first-aid and pediatric CPR training?).	(B) Each substitute, volunteer, and contractor who is counted in the child to caregiver ratio, except as noted in §746.1401(d) of this division.	(C)(i) Within 90 days of beginning the relevant caregiver duties and before having unsupervised access to a child in care; and  (C)(ii) The person must stay current in this training.

<p>(4)(A) Pediatric CPR as required by §746.1315(b) of this subchapter.</p>	<p>(B) Each substitute, volunteer, and contractor who is counted in the child to caregiver ratio, except as noted in §746.1401(d) of this division.</p>	<p>(C)(i) Within 90 days of beginning the relevant caregiver duties; and</p> <p>(C)(ii) The person must stay current in this training.</p>
<p>(5)(A) 24 hours of annual clock training, as required by §746.1309 of this subchapter (relating to What areas of training must the annual training for caregivers cover?).</p>	<p>(B) Each substitute, volunteer, and contractor who is counted in the child to caregiver ratio, except as noted in §746.1401(d) of this division.</p>	<p>(C)(i) Within 12 months of beginning the relevant caregiver duties; and</p> <p>(C)(ii) During each 12-month period, as further required by §746.1313 of this subchapter (relating to When must annual training for my caregivers and director be obtained?).</p>
<p>(6)(A) 2 clock hours of transportation <u>safety</u> training, as required by §746.1316 of this subchapter (relating to What additional training must an employee and director have if the operation transports children?).</p>	<p>(B) Each substitute, volunteer, and contractor who transports a child whose chronological or developmental age is younger than nine years old.</p>	<p>(C)(i) Prior to transporting children; and</p> <p>(C)(ii) Annually, thereafter.</p>
<p><u>(7)(A) Water safety training as required by §746.1325 of this subchapter (relating to What additional training must an employee and director have if the child-care center allows a child to access a swimming pool at or away from the center?).</u></p>	<p><u>(B) Each substitute, volunteer, and contractor who accompanies a child to a swimming pool at or away from the center.</u></p>	<p><u>(C)(i) Prior to accompanying a child to a swimming pool; and</u></p> <p><u>(C)(ii) Annually thereafter.</u></p>

Figure: 26 TAC §746.1801(a)

If the age of the youngest child in the group is...	Then you must have (number of caregivers) caregivers to supervise...	Every (number of children) children
0 - 23 months	1	1
2 years	1	2
3 years	1	6
4 years	1	8
5 years	1	10
6 years and older	1	12

Figure: 26 TAC §746.2101(a)

Ratio for [ <del>Splashing or</del> ] Wading Pools [ <del>(Two Feet Deep or Less)</del> ]		
If the age of the youngest child is...	Then you must have (number) adults to supervise...	Every (number) children.
0 - 23 months	1	1
	2	4
2 years	1	2
	2	5
3 years	1	6
4 years	1	16
5 years	1	20
6 - 8 years	1	22
9 years and older	1	25

Figure: 26 TAC §746.2105(b)

Ratio for Swimming Pools [ <del>(More Than Two Feet Deep)</del> ]		
If the age of the youngest child is...	Then you must have (number) adult to supervise...	Every (number) children.
0 - 23 months	1	1
2 years	1	2
3 years	1	6
4 years	1	8
5 years	1	10
6 years and older	1	12



Figure: 26 TAC §747.1303

<b>Type of training:</b>	<b>Who is required to take the training?</b>	<b>When must the training be completed?</b>
(1)(A) Orientation to your child-care home, as specified in §747.1301 of this division (relating to What must orientation for caregivers at my child-care home include?) <del>[7 within seven days of employment]</del> .	(B) Each caregiver.	(C) Within seven days of employment and before having unsupervised access to a child in care.
(2)(A) Pediatric first aid with rescue breathing and choking and pediatric CPR training, as specified in §747.1313 of this division (relating to Who must have pediatric first-aid and pediatric CPR training?).	(B) The primary caregiver, each substitute caregiver, and each assistant caregiver.	<p>(C)(i) For the primary caregiver, before we register or license the <u>child-care</u> <del>[child-care]</del> home, as required by §747.1003 <u>of this subchapter (relating to When must I meet qualifications to be a primary caregiver?)</u> and §747.1103 of this subchapter (relating to When must I meet qualifications to be a primary caregiver?);</p> <p>(C)(ii) For a substitute caregiver, before being counted in the child/caregiver ratio, as required by §747.1209 of this subchapter (relating to What minimum qualifications must a substitute caregiver meet?);</p> <p>(C)(iii) For an assistant caregiver, within 90 days of</p>

		employment; and  (C)(iv) Each caregiver must stay current in this training.
(3)(A) 15 clock hours of annual training, as specified in §747.1305 of this division (relating to What areas of training must the annual training for substitute and assistant caregivers cover?).	(B) Each substitute and assistant caregiver in a registered child-care home that is counted in the child/caregiver ratio on more than ten separate occasions in one training year.	(C)(i) Within 12 months of employment; and  (C)(ii) During each subsequent 12-month period, and as further required by §747.1311 of this division (relating to When must the annual training be obtained?).
(4)(A) 24 clock hours of annual training, as specified in §747.1305 of this division.	(B) Each substitute and assistant caregiver in a licensed child-care home that is counted in the child/caregiver ratio on more than ten separate occasions in one training year.	(C)(i) Within 12 months of employment; and  (C)(ii) During each subsequent 12-month period, and as further required by §747.1311 of this division.
(5)(A) 30 clock hours of annual training, as specified in §747.1309 of this division (relating to What areas of training must the annual training for the primary caregiver cover?).	(B) The primary caregiver.	(C)(i) Within 12 months of employment; and  (C)(ii) During each subsequent 12-month period, and as further required by §747.1311 of this division.
(6)(A) Two clock hours of transportation <u>safety</u> training as specified in §747.1314 of this division (relating to What additional training must an employee and caregiver have if the home transports children?).	(B)(i) The primary caregiver, if the operation transports a child whose chronological or developmental age is younger than nine years old; and  (B)(ii) Each substitute or assistant caregiver	(C)(i) Prior to transporting children and;  (C)(ii) Annually, thereafter.

	who transports a child whose chronological or developmental age is younger than nine years old.	
<u>(7)(A) Water safety training as required by §747.1323 of this division (relating to What additional training must an employee and caregiver have if the child-care home allows a child to access a swimming pool at or away from the home?)</u>	<u>(B)(i) The primary caregiver, if the home allows a child to access a swimming pool at or away from the home; and</u>  <u>(B)(ii) Each substitute or assistant caregiver who accompanies a child to a swimming pool at or away from the center.</u>	<u>(C)(i) Prior to accompanying a child to a swimming pool; and</u>  <u>(C)(ii) Annually thereafter.</u>

Figure: 26 TAC §747.2001(c)

Ratio for [ <del>Splashing or</del> ] Wading Pools [ <del>(Less Than Two Feet Deep)</del> ]		
If the age of the youngest child is...	Then you must have (number) adults to supervise...	A maximum of (number) children.
0 through 23 months	1	1
	2	6
2 years	1	5
	2	11
3 years	1	6
4 years	1	12
5 years	1	12
6 years and older	1	12

Figure: 26 TAC §747.2005(b)

Ratio for Swimming Pools [ <del>(More Than Two Feet Deep)</del> ]		
If the age of the youngest child in the group is...	Then you must have (number) adults to supervise...	Every (number) children.
0 through 23 months	1	1
2 years	1	2
3 years	1	6
4 years	1	8
5 years	1	10
6 years and older	1	12

Figure: 26 TAC §748.4809

<b>Topic</b>	<b>A PRYTF must comply with this rule:</b>	<b>Instead of this rule:</b>
Individuals Living in the Same Quarters	§748.4863 of this subchapter (relating to May individuals receiving different types of service live in the same living quarters?)	§748.1201 of this chapter (relating to May children receiving different types of service live in the same living quarters?)
Developing an Initial Service Plan	§748.4869 of this subchapter (relating to Who must be involved in developing an initial service plan?)	§748.1339 of this chapter (relating to Who must be involved in developing an initial service plan?)