Figure: 40 TAC Chapter 711

Current Rules	Move to
Title 40. Social Services and Assistance	Title 26. Health and Human Services
Part 19. Department of Family and	Part 1. Texas Health and Human Services
Protective Services	Commission
Chapter 711. Investigations of Individuals	Chapter 711. Investigations of Individuals
Receiving Services from Certain Providers	Receiving Services from Certain Providers
Subchapter A. Introduction	Subchapter A. Introduction
§711.1. What is the purpose of this chapter?	§711.1. What is the purpose of this chapter?
§711.3. How are the terms in this chapter	§711.3. How are the terms in this chapter
defined?	defined?
§711.5. What does APS investigate under this	§711.5. What does PI investigate under this
chapter?	chapter?
§711.7. What does APS not investigate under	§711.7. What does PI not investigate under
this chapter?	this chapter?
§711.11. How is physical abuse defined?	§711.11. How is physical abuse defined?
§711.13. How is sexual abuse defined?	§711.13. How is sexual abuse defined?
§711.17. How is verbal/emotional abuse	§711.17. How is verbal/emotional abuse
defined?	defined?
§711.19. How is neglect defined?	§711.19. How is neglect defined?
§711.21. How is exploitation defined?	§711.21. How is exploitation defined?
§711.23. What is not considered abuse,	§711.23. What is not considered abuse,
neglect, or exploitation?	neglect, or exploitation?
Subchapter C. Duty to Report	Subchapter C. Duty to Report
§711.201. What is your duty to report if you	§711.201. What is your duty to report if you
are a direct provider or service provider?	are a direct provider or service provider?
Subchapter E. Conducting the	Subchapter E. Conducting the
Investigation	Investigation
§711.401. When does the Investigator notify	§711.401. When does the Investigator notify
law enforcement and OIG for allegations of	law enforcement and OIG for allegations of
abuse, neglect, or exploitation and when is the	abuse, neglect, or exploitation and when is the
identity of the reporter revealed?	identity of the reporter revealed?
§711.402. What provider and Health and	§711.402. What provider and Health and
Human Services agency does the Investigator	Human Services agency does the Investigator
notify for allegations of abuse, neglect, or	notify for allegations of abuse, neglect, or
exploitation and when is the identity of the	exploitation and when is the identity of the
reporter revealed?	reporter revealed?
§711.403. Who and when does the	§711.403. Who and when does the
investigator notify upon receiving an	investigator notify upon receiving an
allegation that relates to a general complaint? §711.405. What action does the investigator	allegation that relates to a general complaint?
, v	§711.405. What action does the investigator
take if the alleged perpetrator is a licensed professional?	take if the alleged perpetrator is a licensed professional?
§711.413. How are investigations prioritized?	\$711.413. How are investigations prioritized?
1 9/11.413. HOW are investigations prioritized?	[§ / 11.415. How are investigations phontized?]

8711 415 What are the requirements for face	8711 415 What are the requirements for face
§711.415. What are the requirements for face-	§711.415. What are the requirements for face-
to-face contact with the alleged victim?	to-face contact with the alleged victim?
§711.417. When must the investigator	§711.417. When must the investigator
complete the investigation?	complete the investigation?
§711.419. What if the investigator cannot	§711.419. What if the investigator cannot
complete the investigation on time?	complete the investigation on time?
§711.421. What are the possible findings of	§711.421. What are the possible findings of
an investigation?	an investigation?
§711.423. Is the investigator required to	§711.423. Is the investigator required to
designate a perpetrator or alleged perpetrator?	designate a perpetrator or alleged perpetrator?
Subchapter I. Provision of Services	Subchapter F. Provision of Services
§711.801. What action does the investigator	§711.551. What action does the investigator
take if an individual enrolled in the HCS	take if an individual enrolled in the HCS
waiver program receiving services from an	waiver program receiving services from an
HCS waiver program provider needs	HCS waiver program provider needs
emergency services?	emergency services?
§711.802. What action does the investigator	§711.553. What action does the investigator
take if an individual receiving services from a	take if an individual receiving services from a
licensed ICF-IID needs emergency services?	licensed ICF-IID needs emergency services?
§711.804. What action does the investigator	§711.555. What action does the investigator
take if an adult lives in a residence that is	take if an adult lives in a residence that is
owned, operated, or controlled by an HCS	owned, operated, or controlled by an HCS
waiver program provider but does not receive	waiver program provider but does not receive
HCS waiver services and needs emergency	HCS waiver services and needs emergency
services?	services?
§711.806. What action does the investigator	§711.557. What action does the investigator
take if a child lives in a residence that is	take if a child lives in a residence that is
owned, operated, or controlled by an HCS	owned, operated, or controlled by an HCS
waiver program provider but does not receive	waiver program provider but does not receive
HCS waiver services and needs emergency	HCS waiver services and needs emergency
services?	services?
Subchapter G. Release of Report and	Subchapter G. Release of Report and
Findings	Findings
§711.601. Are investigation documents	§711.601. Are investigation documents
confidential?	confidential?
§711.603. What is included in the	§711.603. What is included in the
investigative report?	investigative report?
§711.605. Who receives the investigative	§711.605. Who receives the investigative
report?	report?
§711.609. Is the reporter notified of the	§711.609. Is the reporter notified of the
finding and the method to appeal, and if so,	finding and the method to appeal, and if so,
how?	how?
§711.611. Is the victim or alleged victim,	§711.611. Is the victim or alleged victim,
guardian, or parent notified of the finding and	guardian, or parent notified of the finding and
the method to appeal, and if so, how?	the method to appeal, and if so, how?

§711.613. Can the investigative report be	§711.613. Can the investigative report be
released by a service provider?	released by a service provider?
Subchapter J. Appealing the Investigation	Subchapter J. Appealing the Investigation
Finding	Finding
§711.901. What is an appeal of the	§711.901. What is an appeal of the
investigation?	investigation?
§711.903. How is an appeal affected by a	§711.903. How is an appeal affected by a
determination that the perpetrator's confirmed	determination that the perpetrator's confirmed
act of abuse, neglect, or exploitation may rise	act of abuse, neglect, or exploitation may rise
to the level of reportable conduct?	to the level of reportable conduct?
§711.905. Who may request an appeal of the	§711.905. Who may request an appeal of the
investigation?	investigation?
§711.907. How does a qualified party request	§711.907. How does a qualified party request
an appeal?	an appeal?
§711.909. What is the timeline for requesting	§711.909. What is the timeline for requesting
an appeal?	an appeal?
§711.911. How and when is the appeal	§711.911. How and when is the appeal
conducted?	conducted?
§711.913. What if the administrator of a state-	§711.913. What if the administrator of a state-
operated facility disagrees with the second	operated facility disagrees with the second
level appeal decision?	level appeal decision?
§711.915. Is a finding ever changed without	§711.915. Is a finding ever changed without
an appeal?	an appeal?