

40 TAC § 747.2901
Tex. Admin. Code tit. 40, § 747.2901

§ 747.2901. May I take children away from my child-care home for field trips?

(a) Yes. You must ensure the children's safety on field trips and excursions and during any transportation provided by the child-care home. Anytime you take a child away from the child-care home for a field trip you must comply with each of the following requirements:

(1) You must have signed permission from the parent to take a child away from your child-care home, including permission to transport the child, if applicable;

(2) You must carry emergency medical consent forms and emergency contact information for each child on the field trip;

(3) You must have a written list of all children on the field trip and must check the list frequently to account for the presence of all children on the field trip;

(4) You must have a first-aid kit immediately available on all field trips;

(5) Each child must wear a shirt, name tag, or other identification listing the name and telephone number of the child-care home;

(6) Each caregiver must be easily identifiable by all children on the field trip, by wearing a hat, tee-shirt, brightly colored clothes, or other easily spotted identification;

(7) Each caregiver supervising a field trip must have transportation available, or a communication device such as a cellular phone, message pager, or two-way radio available or an alternate plan for transportation at the field trip location in case of emergency; and

(8) You must ensure that a caregiver trained in CPR and first aid with rescue breathing and choking is present on the field trip.

(b) A walk around the caregiver's neighborhood must comply only with paragraphs (2) and (8) of subsection (a) of this section.

40 TAC § 747.2903
Tex. Admin. Code tit. 40, § 747.2903

§ 747.2903. Must I notify parents before I take a child away from my child-care home on a field trip?

Yes. You must notify the parent of each child who will be on the field trip, indicating when and where the child will be going, and when the child is expected to return to your child-care home.

40 TAC § 747.2907
Tex. Admin. Code tit. 40, § 747.2907

§ 747.2907. Must I have additional caregivers present to take children on a field trip?

Refer to Subchapter E of this chapter (relating to Child/Caregiver Ratios and Group Sizes) for child/caregiver ratios relating to field trips.

40 TAC § 747.3001
Tex. Admin. Code tit. 40, § 747.3001

§ 747.3001. What is nighttime care?

(a) Nighttime care is care given on a regular or frequent basis to children who are starting or continuing their night sleep, or to children who spend the night or part of the night at the child-care home between the hours of 9:00 p.m. and 6:00 a.m.

(b) Nighttime care does not include the occasional sleep-over program offered at infrequent intervals.

40 TAC § 747.3003
Tex. Admin. Code tit. 40, § 747.3003

§ 747.3003. May I provide nighttime care to children at my child-care home?

(a) Yes, you may care for children both during the day and night if we approve it. Even then, a child may only be in care for:

(1) No more than 16 hours within a 24-hour period on a daily basis; or

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(2) No more than three consecutive 24-hour periods with a maximum of six 24-hour periods per month, as specified in § 745.383 of this title (relating to Can a licensed child day care operation offer 24-hour care?).

(b) You cannot exceed these limits without getting a license for a residential child-care operation.

**40 TAC § 747.3005
Tex. Admin. Code tit. 40, § 747.3005**

§ 747.3005. Must I stay awake while supervising children during nighttime care?

No. Caregivers supervising children during nighttime care in your child-care home do not have to be awake to supervise the children if:

(1) The children are asleep before the caregivers;

(2) The caregivers are on the same floor as the sleeping children; and

(3) The caregivers are close enough to the children to respond or intervene if a child awakens for feeding, becomes ill, is afraid of the dark, or in the event of an emergency.

**40 TAC § 747.3007
Tex. Admin. Code tit. 40, § 747.3007**

§ 747.3007. What are the building, furnishing, physical space, and equipment requirements for nighttime care?

In addition to all other building, furnishing, physical space, and equipment requirements specified in this chapter:

(1) All exits must be visible. This may be provided by lighted exit signs or by lighted exits (such as a hall light or lamp that lights the exit path and door);

(2) You cannot count a window as one of the child-care home's required fire exits;

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(3) Each child 18 months old or older must be provided a cot, bed, or mattress that is waterproof or washable, and developmentally appropriate;

(4) Children younger than the age of 18 months must be provided with a crib for nighttime sleeping; and

(5) Boys and girls six years old or older must have separate sleeping and dressing areas.

40 TAC § 747.3009
Tex. Admin. Code tit. 40, § 747.3009

§ 747.3009. Must I provide activities for children in nighttime care?

Activities and routines must meet the unique needs of children in night care. These may include quiet activities, such as homework, reading, puzzles, or board games; time for personal care routines and preparation for sleep, such as brushing teeth, washing hands and face, toileting, and changing clothes; and an evening meal and/or snack as specified in Subchapter Q of this chapter (relating to Nutrition and Food Service).

40 TAC § 747.3101
Tex. Admin. Code tit. 40, § 747.3101

§ 747.3101. What are the basic requirements for snack and mealtimes?

(a) You must serve all children ready for table food regular meals and morning and afternoon snacks as specified in this subchapter.

(1) If breakfast is served, a morning snack is not required.

(2) A child must not go more than three hours without a meal or snack being offered, unless the child is sleeping.

(3) If your child-care home is participating in the Child and Adult Care Food Program administered by the Texas Department of Agriculture, you may elect to meet those requirements rather than those specified in this subsection.

(b) You must ensure a supply of drinking water is always available to each child and is served at every snack, mealtime, and after active play in a safe and sanitary manner.

(c) You must not serve beverages with added sugars, such as carbonated beverages, fruit punch, or sweetened milk except for a special occasion such as a holiday or birthday celebration.

(d) You must not use food as a reward or punishment.

40 TAC § 747.3103
Tex. Admin. Code tit. 40, § 747.3103

§ 747.3103. How often must I feed children in my care?

(a) You must offer each child in care for less than four hours at least one snack as specified in § 747.3107 of this title (relating to What kind of foods must I serve for snacks?).

(b) You must offer each child in care for four to seven hours at least one meal, or one meal and one snack, equal to 1/3 of their daily food needs.

(c) You must offer each child in care for more than seven hours at least two meals and one snack, or two snacks and one meal, equal to 1/2 of their daily food needs.

(d) You must offer an evening meal and/or bedtime snack and breakfast to each child who receives nighttime care. The amount you offer will vary with the time the child arrives and leaves.

(e) If your home is participating in the Child and Adult Care Food Program administered by the Texas Department of Agriculture, you may elect to meet those requirements rather than those specified in this section.

40 TAC § 747.3105
Tex. Admin. Code tit. 40, § 747.3105

§ 747.3105. How do I know what a child's daily food needs are?

(a) The daily food needs for children 12 months through two years are included in the following chart:

Figure: 40 TAC §747.3105(a)

Food Groups	Number of Servings to Meet 1/3 Daily Needs	Number of Servings to Meet 1/2 Daily Needs	Serving Size
Milk	1 and 1/3	2	4 oz. Milk or 1/2 oz. Cheese or 4 oz. Yogurt
Meat/Meat Alternative	1	1 and 1/2	1/2 - 1 oz. Cooked lean meat or 1/2 - 1 Egg or 1/4 c. Cooked beans
Vegetables and Fruit	1 and 1/3 +	2 +	2-3 Tb. Cooked vegetables or 2-3 Tb. Canned fruit or 1/4 Small fresh fruit or 1/4 - 1/2 c. Juice
Whole Grains	1 and 1/3 +	2 +	1/2 Slice bread or 1/4 c. Cooked cereal or 1/4 c. Pasta or rice or 1 or 2 Crackers

(b) The daily food needs for children three years through five years are included in the following chart:

Figure: 40 TAC §747.3105(b)

Food Groups	Number of Servings to Meet 1/3 Daily Requirement	Number of Servings to Meet 1/2 Daily Requirement	Serving Size
Milk	2/3 of One Serving	1	3/4 c. 1% Milk or 1 & 1/2 oz. Cheese or 3/4 c. Yogurt
Meat/Meat Alternative	2/3 of One Serving	1	1 & 1/2 oz. Lean cooked meat or 3/4 Egg or 1/4 c. Cooked beans
Vegetable	1	1 and 1/2	1/2 c. Raw or cooked vegetable or 1/2 c. Raw leafy vegetable
Fruit	2/3 of One Serving	1	1/2 c. Canned or chopped fruit or 1 Piece fruit or melon wedge or 1/2 c. Juice
Whole Grains	2	3	1/2 Slice bread or 1/4 c. Cooked cereal 1/2 oz. Ready to eat cereal or 1/4 c. Cooked pasta or rice or 3 - 5 Crackers

(c) The daily food needs for children six years and older are included in the following chart:

Figure: 40 TAC §747.3105(c)

Food Groups	Number of Servings to Meet 1/3 Daily Requirement	Number of Servings to Meet 1/2 Daily Requirement	Serving Size
Milk	2/3 to 1	1 to 1 and 1/2	1c. 1% Milk or 1& 1/2 oz. Natural cheese or 2 oz. Processed cheese or 1 c. Yogurt
Meat/Meat Alternative	2/3 to 1	1	2 oz. Cooked lean meat, poultry, or fish or 1/2 c. Cooked beans or 1/2 c. Tofu or 2 Tb. Peanut butter
Vegetables	1 to 1 and 2/3	2	1/2 c. Raw or cooked vegetables or 1/2 c. Raw leafy vegetable
Fruit	2/3 to 1 and 1/3	1 to 2	1/2 c. Canned or chopped fruit or 1 Medium piece fruit or 3/4 c. Juice
Whole Grains	2 to 3 and 2/3	3 to 5+	1 Slice bread or 1/2 c. Cooked cereal or 3/4 oz. Ready to eat cereal or 1/2 c. Cooked pasta or rice or 4-6 Crackers

(d) You must serve enough food to allow children second servings from the vegetable, fruit, grain, and milk groups.

(e) If your home is participating in the Child and Adult Care Food Program administered by the Texas Department of Agriculture, you may elect to meet those requirements rather than those specified in this section.

40 TAC § 747.3107
 Tex. Admin. Code tit. 40, § 747.3107

§ 747.3107. What kind of foods must I serve for snacks?

Morning, afternoon, and nighttime snacks must be nutritious and include at least one of the following, which may be included in the child's daily food needs:

(1) One serving from the fruit or vegetable group;

(2) One serving from the milk group;

(3) One serving from the grain group; or

(4) One serving from the meat or meat alternative group.

40 TAC § 747.3109
Tex. Admin. Code tit. 40, § 747.3109

§ 747.3109. May parents provide meals and/or snacks for their children instead of my child-care home providing them?

(a) Yes; however, your enrollment agreement signed by the parent must include a statement that the parent is choosing to provide the child's meals and/or snacks from home and the parent understands the child-care home is not responsible for its nutritional value or for meeting the child's daily food needs;

(b) If the parent provides a meal but not a snack, you are responsible for providing a snack as specified in § 747.3107 of this title (relating to What kind of foods must I serve for snacks?);

(c) You must provide safe and proper storage and service of the individual meals and snacks provided by parents; and

(d) Meals and snacks provided by a parent must not be shared with other children, unless a parent is providing baked goods for a celebration or party being held at the operation.

40 TAC § 747.3111
Tex. Admin. Code tit. 40, § 747.3111

§ 747.3111. How do I meet the needs of children who require special diets or do not want to eat foods I serve?

(a) You must have written approval from a physician or a registered or licensed dietician in the child's records to serve a child a therapeutic or special diet.

(b) You must discuss recurring eating problems with the child's parent.

(c) You may encourage, but not force children to eat.

(d) You must not serve nutrient concentrates and supplements such as protein powders, liquid protein, vitamins, minerals, and other nonfood substances without written instructions from a health-care professional.

40 TAC § 747.3113
Tex. Admin. Code tit. 40, § 747.3113

§ 747.3113. Must I post and maintain daily menus?

No, however you must:

(1) Maintain menus showing all meals and snacks prepared and served at your child-care home for the previous three months.

(2) Keep a record of any substitutions made. Substitutions must be of comparable food value.

(3) Date the menus. If you rotate menus, there must be a record of which menu was used for each date.

(4) Make menus available to Licensing and parents for review upon request.

40 TAC § 747.3115
Tex. Admin. Code tit. 40, § 747.3115

§ 747.3115. May I serve powdered milk?

Yes, you may serve powdered milk if you mix it according to label directions, and prepare, store, and serve the milk in a safe and sanitary manner.

40 TAC § 747.3116
Tex. Admin. Code tit. 40, § 747.3116

§ 747.3116. May I serve fruit or vegetable juices?

Yes, you may serve fruit or vegetable juices if you:

(1) Serve only 100% fruit or vegetable juice;

(2) Only serve to children ages 12 months and older; and

(3) Only serve up to four ounces for children ages 12 months through five years of age and six ounces for children ages six and older per day when using towards daily food needs.

40 TAC § 747.3117
Tex. Admin. Code tit. 40, § 747.3117

§ 747.3117. What general requirements apply to food service and preparation?

All food and drinks must be of safe quality and stored, prepared, distributed, and served under sanitary and safe conditions, including at least the following:

(1) You must sanitize food service equipment, dishes, and utensils after each use;

(2) If your child-care home lacks adequate facilities for sanitizing dishes and utensils, you must use only disposable, single-use items;

(3) You must wash re-useable napkins, bibs, and tablecloths after each use;

(4) You must discard single-service napkins, bibs, dishes, and utensils after use;

(5) You must serve children's food on plates, napkins, or other sanitary holders, such as a high chair tray, and you must not place them on a bare table or eating surface, which includes the floor;

(6) You must not serve foods that present a risk of choking for infants and toddlers;

(7) You must cover all food stored in the refrigerator; and

(8) You must not store poisonous or toxic materials and cleaning supplies with food

40 TAC § 747.3119
Tex. Admin. Code tit. 40, § 747.3119

§ 747.3119. Must I serve meals family style?

(a) No, you do not have to use family style meal service, although all meals and snack times must include adult supervision of children.

(b) If meals and snacks are served family style, you must supervise children to prevent cross-contamination of the food.

40 TAC § 747.3121
Tex. Admin. Code tit. 40, § 747.3121

§ 747.3121. Are children allowed to use toothbrushes after meal and snack times?

(a) Yes, although toothbrushes and tooth powders or pastes provided for each child's individual use must be:

(1) Labeled with the child's full name;

(2) Stored out of children's reach when not in use; and

(3) Stored in a manner that prevents the toothbrushes from touching each other during storage.

(b) Children must have adult supervision during tooth brushing activities.

40 TAC § 747.3201
Tex. Admin. Code tit. 40, § 747.3201

§ 747.3201. Must my child-care home have an annual sanitation inspection?

No. We do not require you to have an annual sanitation inspection, although your local ordinances may require this.

40 TAC § 747.3203
Tex. Admin. Code tit. 40, § 747.3203

§ 747.3203. What steps must I take to ensure a healthy environment for children at my child-care home?

You must clean, repair, and maintain your child-care home, grounds, and equipment to protect the health of the children. This includes, but is not limited to:

- (1) Setting aside toys and equipment that are placed in children's mouths or are otherwise contaminated by body secretion or excrement to be sanitized daily or before handling by another child;
- (2) Machine washing cloth toys, if used, at least weekly and when contaminated;
- (3) Machine washing all linens at least weekly and when soiled and before another child uses them;
- (4) Sanitizing sleeping equipment before a different child uses it and when soiled;
- (5) Sanitizing potty chairs after each child's use;
- (6) Emptying water play tables and toys used in water play tables daily and sanitizing;
- (7) Maintaining sand boxes and sand tables in a sanitary manner;
- (8) Making all garbage inaccessible to children, and managing it to keep the child-care home, inside and outside, free of insects, rodents, and offensive odors;

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(9) Keeping all floors, ceilings, and walls in good repair and clean. Paints used at the child-care home must be lead-free;

(10) Keeping all parts of the child-care home used by children well heated, lighted, and ventilated;

(11) Sanitizing table tops, furniture, and other similar equipment used by children when soiled or contaminated with matter such as food, body secretions, or excrement; and

(12) Clearly marking cleaning supplies and other toxic materials and keeping them separate from food and inaccessible to children.

40 TAC § 747.3205
Tex. Admin. Code tit. 40, § 747.3205

§ 747.3205. What does Licensing mean when it refers to “sanitizing”?

Sanitizing requires a four-step process. For the sanitizing process to be effective, you must follow these steps in order:

(1) Washing with water and soap;

(2) Rinsing with clear water;

(3) Soaking in or spraying on a disinfecting solution (at least two minutes). Rinsing with cool water only those items that children are likely to place in their mouths; and

(4) Allowing the surface or article to air-dry.

40 TAC § 747.3207
Tex. Admin. Code tit. 40, § 747.3207

§ 747.3207. What is a disinfecting solution?

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A disinfecting solution may be:

(1) A self-made solution, prepared as follows:

(A) One tablespoon of regular strength liquid household bleach to each gallon of water used for sanitizing such items as, toys and eating utensils; or

(B) One-fourth cup of regular strength liquid household bleach to each gallon of water used for sanitizing surfaces such as bathrooms, crib rails, and diaper-changing tables; and

(C) You must prepare each solution daily and place it in a closed and labeled container; or

(2) A commercial product that is registered with the Environmental Protection Agency as an antimicrobial product and includes directions for use in a hospital as a disinfectant. You must use the product according to label directions. Commercial products must not be toxic on surfaces likely to be mouthed by children, like crib rails and toys.

40 TAC § 747.3209
Tex. Admin. Code tit. 40, § 747.3209

§ 747.3209. May I use a dishwasher or washing machine to sanitize items at my child-care home?

Items that can be washed in a dishwasher or hot cycle of a washing machine which runs at a temperature of 160 degrees Fahrenheit or higher for five or more minutes do not need additional disinfecting because these machines use water that is hot enough, for long enough, to kill most germs.

40 TAC § 747.3211
Tex. Admin. Code tit. 40, § 747.3211

Green &
Burgundy

§ 747.3211. When must caregivers wash their hands?

Caregivers must wash their hands:

(1) Before eating or handling food or medication;

(2) Before feeding a child;

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(3) After arriving at the child-care home;

(4) After diapering a child;

(5) After assisting a child with toileting;

(6) After personal toileting;

(7) After handling or cleaning body fluids, such as after wiping noses, mouths, or bottoms, and tending sores;

(8) After handling or feeding animals;

(9) After outdoor activities;

(10) After handling raw food products;

(11) After eating, drinking, or smoking; and

(12) After using any cleaners or chemicals.

40 TAC § 747.3213
Tex. Admin. Code tit. 40, § 747.3213

§ 747.3213. When must children wash their hands?

Children must wash their hands:

(1) Before eating;

(2) Before playing in a water play table or other water activities;

(3) After toileting or having a diaper changed;

(4) After outdoor activities;

(5) After playing in sand;

(6) After feeding or touching animals; and

(7) Any other time that the caregiver has reason to believe the child has come in contact with substances that could be harmful to the child.

40 TAC § 747.3215
Tex. Admin. Code tit. 40, § 747.3215

§ 747.3215. How must children and caregivers wash their hands?

Children 18 months and older and caregivers must wash their hands with soap and running water. An alcohol-based hand sanitizer may be used by caregivers on visibly clean hands when soap and running water are not readily accessible, except before handling food. You must follow label directions when using alcohol-based hand sanitizers.

40 TAC § 747.3217
Tex. Admin. Code tit. 40, § 747.3217

§ 747.3217. How must I wash an infant's hands?

(a) Until the infant is old enough to be raised to the faucet and reach for the water, you must wash the infant's hands using an individual cloth or disposable towel with soap, followed by a cloth or disposable towel used to rinse with clear water and dry.

(b) Use soap and running water as specified in this division when infants are old enough to be raised to the faucet and reach for the water and any other time that the caregiver has reason to believe the child has come in contact with

substances that could be harmful to the child.

40 TAC § 747.3219
Tex. Admin. Code tit. 40, § 747.3219

§ 747.3219. Must I have hot water for hand washing?

No. We do not require you to have hot water for hand washing. However, if hot water is accessible to the children, a thermostat must control it so that the water temperature is no higher than 120 degrees Fahrenheit.

40 TAC § 747.3221
Tex. Admin. Code tit. 40, § 747.3221

§ 747.3221. Must I wear gloves when handling blood or body fluids containing blood?

Yes, caregivers must:

(1) Use disposable, nonporous gloves when handling blood or blood-containing body fluids or discharge from injured tissue;

(2) Discard the gloves immediately after one use; and

(3) Wash your hands after using and disposing of the gloves.

40 TAC § 747.3223
Tex. Admin. Code tit. 40, § 747.3223

§ 747.3223. Must I use a licensed exterminator to treat my child-care home for insects, rodents, or other pests?

No, although you must keep your child-care home and yard free of insects, rodents, or pests.

40 TAC § 747.3225
Tex. Admin. Code tit. 40, § 747.3225

§ 747.3225. Are there general precautions I must take when my child-care home is being treated for insects, rodents, or other pests?

Yes. You must do the following when your child-care home is being treated for insects, rodents, or other pests:

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- (1) Ensure children are not present in an area being treated with chemicals as required by label directions;
- (2) Apply over-the counter products used for insects, rodent, and pest control only by following label directions;
- (3) Minimize children's exposure to chemical residue that may be harmful to them, including odors;
- (4) Store all pest control products according to label directions;
- (5) Immediately dispose of dead insects and rodents in a safe and sanitary manner.

**40 TAC § 747.3227
Tex. Admin. Code tit. 40, § 747.3227**

§ 747.3227. May I use water from a private water supply instead of a public water supply for my child-care home?

Yes, you may use water from a private water supply, although you must:

- (1) Maintain the water supply in a safe and sanitary manner.
- (2) Maintain written records indicating that the private water supply meets the requirements of the Texas Commission on Environmental Quality, if applicable.

**40 TAC § 747.3229
Tex. Admin. Code tit. 40, § 747.3229**

§ 747.3229. May I use a septic system for sewage disposal?

Yes, if the septic system is sanitary and meets the standards of the Texas Commission on Environmental Quality, including any routine inspections required by law.

**40 TAC § 747.3301
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§ 747.3301. What steps must I follow for diaper changing?

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Caregivers must:

- (1) Promptly change soiled or wet diapers or clothing;
- (2) Thoroughly cleanse the child with an individual cloth or disposable towel. You must discard the disposable towel after use and launder any cloth before using it again;
- (3) Ensure that the children are dry before placing a new diaper on the child. If the child must be dried, you must use a clean, individual cloth or disposable towel to dry the child. You must discard the disposable towel after use and launder any cloth before using it again;
- (4) Not apply powders, creams, ointments, or lotions without the parent's written permission. If the parent supplies these items, permission is implicit and you do not need to obtain permission for each use;
- (5) Label powders, creams, ointments, or lotions with the individual child's name; and
- (6) Keep all diaper-changing supplies out of children's reach.

40 TAC § 747.3303
Tex. Admin. Code tit. 40, § 747.3303

§ 747.3303. What equipment must I have for diaper changing?

(a) You must have a diaper-changing table or surface that is:

- (1) Smooth, non-absorbent and easy to clean; and

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(2) Located so that the caregiver using the diapering surface can supervise children at all times, as specified in § 747.1503 of this title (relating to What does Licensing mean by “supervise children at all times”?).

(b) You must not use areas for diaper changing that children come in close contact with during play or eating, such as dining tables, sofas, or floor play areas.

(c) To prevent a child from falling, a diaper changing surface that is above the floor level:

(1) Must have a safety mechanism (such as safety straps or raised sides) that is used at all times when a child is on the surface; or

(2) The caregivers hand must remain on the child at all times when the child is on the surface.

**40 TAC § 747.3307
Tex. Admin. Code tit. 40, § 747.3307**

§ 747.3307. What must I do to prevent the spread of germs when diapering children?

(a) You must wash your hands after each diaper change. Refer to § 747.3215 of this title (relating to How must children and caregivers wash their hands?).

(b) You must wash the infant’s hands or see that the child’s hands are washed after each diaper change. Refer to § 747.3217 of this title (relating to How must I wash an infant’s hands?).

(c) If you use disposable gloves, you must discard them after each diaper change and wash your hands as specified in § 747.3215 of this title.

(d) You must cover containers used for soiled diapers or keep them in a sanitary manner, such as placing soiled diapers in sealed bags.

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(e) You must sanitize the diapering surface after each use, as specified in § 747.3205 of this title (relating to What does Licensing mean when it refers to “sanitizing”?), or use a clean, disposable covering on the diapering surface that must be changed after each use.

**40 TAC § 747.3401
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§ 747.3401. What type of illness would prohibit a child from being admitted for care?

You must not admit an ill child for care if one or more of the following exists:

(1) The illness prevents the child from participating comfortably in child-care activities, including outdoor play;

(2) The illness results in a greater need for care than caregivers can provide without compromising the health, safety, and supervision of the other children in care;

(3) The child has one of the following, unless medical evaluation by a health-care professional indicates that you can include the child in the child-care activities:

(A) Oral temperature above 101 degrees and accompanied by behavior changes or other signs or symptoms of illness;

(B) Rectal temperature above 102 degrees and accompanied by behavior changes or other signs or symptoms of illness;

(C) Armpit temperature above 100 degrees and accompanied by behavior changes or other signs or symptoms of illness;

(D) Symptoms and signs of possible severe illness, such as lethargy, abnormal breathing, uncontrolled diarrhea, two or more vomiting episodes in 24 hours, rash with fever, mouth sores with drooling, wheezing, behavior changes, or other signs that the child may be severely ill; and

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(4) A health-care professional has diagnosed the child with a communicable disease, and the child does not have medical documentation to indicate that the child is no longer contagious.

**40 TAC § 747.3403
Tex. Admin. Code tit. 40, § 747.3403**

§ 747.3403. What communicable diseases would exclude a child from attending my child-care home?

You must follow the communicable disease exclusions required for schools as defined by the Texas Department of State Health Services (DSHS) in 25 TAC § 97.7 (relating to Diseases Requiring Exclusion from Schools). You can access this information from DSHS or Licensing staff.

**40 TAC § 747.3405
Tex. Admin. Code tit. 40, § 747.3405**

§ 747.3405. What if a child becomes ill while in care?

If a child becomes ill while in your care, you must:

- (1) Contact the parent to pick up the child;
- (2) Care for the child apart from other children;
- (3) Give appropriate attention and supervision until the parent picks the child up; and
- (4) Give extra attention to hand washing and sanitation if the child has diarrhea or vomiting.

**40 TAC § 747.3407
Tex. Admin. Code tit. 40, § 747.3407**

§ 747.3407. How should I respond to critical illness?

If critical illness or injury requires immediate attention of a physician, you must:

- (1) Contact emergency medical services or take the child to the nearest emergency room;

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- (2) Give the child first-aid treatment or CPR when needed;
- (3) Contact the physician identified in the child's record;
- (4) Contact the child's parent; and
- (5) Ensure supervision of other children in the group.

**40 TAC § 747.3409
Tex. Admin. Code tit. 40, § 747.3409**

§ 747.3409. What is a vaccine-preventable disease for the purpose of this division?

A vaccine-preventable disease is a disease that is included in the most current recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

**40 TAC § 747.3411
Tex. Admin. Code tit. 40, § 747.3411**

§ 747.3411. What must a policy for protecting children from vaccine-preventable diseases include?

A policy for protecting the children in your care from vaccine-preventable diseases must:

- (1) Specify any vaccines that you have determined an employee must have for vaccine-preventable diseases based on the level of risk the employee presents to children by the employee's routine and direct exposure to children;
- (2) Require each employee to receive each specified vaccine that the employee is not exempt from having;
- (3) Include procedures for verifying whether an employee has complied with your policy;
- (4) Include procedures for an employee to be exempt from having a required vaccine because of:

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(A) Medical conditions identified as contraindications or precautions by the Centers for Disease Control and Prevention (CDC); or

(B) Reasons of conscience, including a religious belief;

(5) Include procedures that an exempt employee must follow to protect children in your care from exposure to disease, such as the use of protective medical equipment, including gloves and masks, based on the level of risk the employee presents to children by the employee's routine and direct exposure to children;

(6) Prohibit discrimination or retaliatory action against an exempt employee, except that required use of protective medical equipment, including gloves and masks, may not be considered retaliatory action for purposes of this section;

(7) Outline how you will maintain a written or electronic record of each employee's compliance with or exemption from your policy; and

(8) State the disciplinary actions you may take against an employee who fails to comply with your policy.