

TITLE 26 HEALTH AND HUMAN SERVICES
PART 1 HEALTH AND HUMAN SERVICES COMMISSION
CHAPTER 745 LICENSING
SUBCHAPTER X EMERGENCY RULES
DIVISION 1 RULES FOR CERTAIN DAY CARE OPERATIONS IN RESPONSE TO
COVID-19

§745.10001. Emergency Rule for Certain Day Care Operations in Response to
COVID-19.

(a) This section applies to the following operations:

- ___ (1) School-age programs;
- ___ (2) Before and after-school programs;
- ___ (3) Child-care centers;
- ___ (4) Licensed child-care homes; and
- ___ (5) Registered child-care homes.

(b) An operation must prohibit any person except the following from entering the
operation:

- ___ (1) Operation staff;
- ___ (2) Persons with legal authority to enter, including law enforcement officers,
Licensing staff, and Department of Family and Protective Services staff;
- ___ (3) Professionals providing services to children;
- ___ (4) Children enrolled at the operation; and
- ___ (5) Parents who have children enrolled and present at the operation.

(c) An operation must screen all persons in subsection (b) of this section before
allowing entry into the operation. The screening must include taking the
temperature of each person upon arrival at the operation each day and denying
entry to any person who meets any of the following criteria:

- ___ (1) Fever or signs or symptoms of a respiratory infection, such as cough,
shortness of breath, or sore throat;
- ___ (2) Contact in the last 14 days with someone who has a confirmed diagnosis of
COVID-19, someone who is under investigation for COVID-19, or someone who is ill
with a respiratory illness; or

(3) International travel within the last 14 days to countries with ongoing community transmission. For updated information on affected countries visit: <https://www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notice.html>

(d) An operation must not prohibit government personnel performing their official duty from entering the operation, unless the individual meets the above screening criteria.

(e) The pick-up and drop-off of children must be completed outside of the operation, unless the operation determines that there is a legitimate need for the parent to enter. Should the parent have a legitimate need to enter the operation, the parent must be screened by the operation as provided in subsection (c).

(f) An operation must not serve family style meals. Each child must be provided individual meals and snacks.

(g) If this emergency rule is more restrictive than any minimum standard relating to the operations addressed by this rule, this emergency rule will prevail so long as this emergency rule is in effect.

(h) If an executive order or other direction is issued by the Governor of Texas, the President of the United States, or another applicable authority, that is more restrictive than this emergency rule or any minimum standard relating to the operations addressed in this emergency rule, the operations must comply with the executive order or other direction.