



TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

COMMISSIONER
Carey D. Cockerell

November 3, 2006

Artie Hilliard Jr.
PO Box 487
Golthwaite, TX 76844

Operation #508985-130
MESA FAMILY SERVICES

Re: Intent to Impose Adverse Action

REGULAR AND CERTIFIED MAIL, RETURN RECEIPT REQUESTED

#7003 1680 0001 3534 4386

Dear Mr. Hilliard:

On 12/06/1994, the Department of Family and Protective Services (DFPS) issued you permit # 508985-130 to operate a(n) Child Placing Agency located at 100 S. ANN BOULEVARD, HARKER HEIGHTS, TX 76548. This letter shall serve as notice that DFPS intends to revoke your permit to operate.

The legal authority for the adverse action may be found in the Human Resources Code, Section 42.072(a), which states:

The department may suspend, deny, revoke, or refuse to renew the license, listing, registration, or certification of approval of a facility or family home that does not comply with the requirements of this chapter, the standards and rules of the department, or the specific terms of the license, listing, registration, or certification. The department may revoke the probation of a person whose license, listing, or registration is suspended if the person violates a term of the conditions of probation.

The intent to impose adverse action is based on the following:

In August 2005 we conducted an investigation after the death of a child in one of your foster homes and determined that the child's death was related to abuse. In September 2006 another child died in one of your foster homes. We have now completed this investigation

and determined that the death was related to abuse and neglect. During the past year your operation has not demonstrated responsibility for compliance with minimum standards, rules, and laws. Because of the two deaths and because of your operation's poor compliance history, the department intends to revoke your license. The poor compliance history of your operation along with the two deaths poses a risk to the health and safety of children and therefore you must discontinue operating pending a due process hearing unless you obtain injunctive relief from a district court to allow you to continue operating pending appeal.

On 11/02/2006, DIANE THOMPSON, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF11001	Must be Responsible, Mature, Health Adults Capable of Meeting Needs of Children in Care	(DFPS Rules, 40 TAC § 720.117 (a))
---------	---	------------------------------------

On 10/30/2006, PHILIP ARTUZ, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF25104	Medications - Kept out of Reach of Children or in Locked Storage Area	(DFPS Rules, 40 TAC § 720.123 (3))
---------	---	------------------------------------

On 10/24/2006, LOLLY KAKUMANI, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

19102	Report Serious Incident Occurrence	(DFPS Rules, 40 TAC § 720.32 (2))
-------	------------------------------------	-----------------------------------

745.8413	Inspections and Investigations Allowed	(DFPS Rules, 40 TAC § 745.8413)
----------	--	---------------------------------

AF22101	Children Must not be Abused or Neglected	(DFPS Rules, 40 TAC § 720.29 (a) (2))
---------	--	---------------------------------------

16103	Children Placed and Supervised Appropriately in Least Restrictive Environment	(DFPS Rules, 40 TAC § 720.29 (a) (3))
-------	---	---------------------------------------

AF11001	Must be Responsible, Mature, Health Adults Capable of Meeting Needs of Children in Care	(DFPS Rules, 40 TAC § 720.117 (a))
---------	---	------------------------------------

On 10/20/2006, CHRISTI MORRIS, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF2100	General Requirements	(DFPS Rules, 40 TAC § 720.119 (a))
16103	Children Placed and Supervised Appropriately in Least Restrictive Environment	(DFPS Rules, 40 TAC § 720.29 (a) (3))

On 10/18/2006, CAROLYN MITCHELL, Licensing Staff, conducted an inspection at the operation and found the following standard(s) deficiencies:

AG22203	Money Earned or Given to Child as Personal Property	(DFPS Rules, 40 TAC § 720.304 (i))
AG23105	Child Not Denied Food, Mail, Visits with Families as Punishment	(DFPS Rules, 40 TAC § 720.31(e))
AG33003	Each Child Has Own Clean, Comfortable Bed and Mattress	(DFPS Rules, 40 TAC § 720.309 (f))

On 10/13/2006, SHAYLA REED, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

17101	Must Ensure each Child Receives Appropriate Medical and Dental Care	(DFPS Rules, 40 TAC § 720.30 (a))
AF33005	Over 6 Years of Age not Share Bedroom with Person of Opposite Sex	(DFPS Rules, 40 TAC § 720.122 (e) (3))

On 10/09/2006, LOLLY KAKUMANI, Licensing Staff, conducted an inspection at the operation and found the following standard(s) deficiencies:

16103	Children Placed and Supervised Appropriately in Least Restrictive Environment	(DFPS Rules, 40 TAC § 720.29 (a) (3))
-------	---	---------------------------------------

AF11001	Must be Responsible, Mature, Health Adults Capable of Meeting Needs of Children in Care	(DFPS Rules, 40 TAC § 720.117 (a))
---------	---	------------------------------------

On 09/26/2006, LOLLY KAKUMANI, Licensing Staff, conducted an inspection at the operation and found the following standard(s) deficiencies:

745.8413	Inspections and Investigations Allowed	(DFPS Rules, 40 TAC § 745.8413)
AF22101	Children Must not be Abused or Neglected	(DFPS Rules, 40 TAC § 720.29 (a) (2))

On 09/22/2006, REBECCA CALVO, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

745.4061(17)	Pre-Adoptive Home Screening - Information must include the financial status of the prospective adoptive family	(DFPS Rules, 40 TAC § 745.4061 (17))
14004	Must Operate According to Written Policies	(DFPS Rules, 40 TAC § 720.27 (4))
22005	Persons whose Behavior, Health Status Present Danger to Children Not Allowed	(DFPS Rules, 40 TAC § 720.35 (5))
AF22101	Children Must not be Abused or Neglected	(DFPS Rules, 40 TAC § 720.29 (a) (2))
AF23102b	Discipline - Not be Physically, Emotionally Damaging to Child	(DFPS Rules, 40 TAC § 720.31 (b) (2))
16101	Agency is Responsible for Protecting Children's Rights	(DFPS Rules, 40 TAC § 720.29 (a) (1))
AF23104	Children Not Subjected to Harsh, Cruel, Unusual, or Humiliating Punishment	(DFPS Rules, 40 TAC § 720.31 (e))

745.4061(6)	Pre-Adoptive Home Screening - Information must include health status (physical, mental, and emotional) of prospective adoptive parents	(DFPS Rules, 40 TAC § 745.4061 (6))
24305	Training Documentation	(DFPS Rules, 40 TAC § 720.39 (c) (5))
AF11001	Must be Responsible, Mature, Health Adults Capable of Meeting Needs of Children in Care	(DFPS Rules, 40 TAC § 720.117 (a))
16103	Children Placed and Supervised Appropriately in Least Restrictive Environment	(DFPS Rules, 40 TAC § 720.29 (a) (3))

On 09/22/2006, CAROLYN MITCHELL, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF13002	Agency Home Ratio	(DFPS Rules, 40 TAC § 720.118 (a) (2))
745.615(a)	Background Check Requirements - Each Person Over 14 Years or Older	(DFPS Rules, 40 TAC § 745.615 (a))

On 09/19/2006, CAROLYN MITCHELL, Licensing Staff, conducted an inspection at the operation and found the following standard(s) deficiencies:

14004	Must Operate According to Written Policies	(DFPS Rules, 40 TAC § 720.27 (4))
745.615(a)	Background Check Requirements - Each Person Over 14 Years or Older	(DFPS Rules, 40 TAC § 745.615 (a))
AF13002	Agency Home Ratio	(DFPS Rules, 40 TAC § 720.118 (a) (2))

On 09/14/2006, RHONDA SKINNER, Licensing Staff, conducted an inspection at the operation and found the following standard(s) deficiencies:

AF25102 Medications -Given According to Label (DFPS Rules, 40 TAC § 720.123
Instructions (1))

On 09/05/2006, ELIZABETH RODRIGUEZ, Licensing Staff, conducted an inspection at the operation and found the following standard(s) deficiencies:

24303a	Infant/Child CPR, First Aid Training Required for Certification	(DFPS Rules, 40 TAC § 720.39 (c) (A))
32102	Emergency Placements Intake Study Completed Within 30 Days	(DFPS Rules, 40 TAC § 720.41 (b))
32104	Medical Examination Within 30 Days Prior or Within 30 Days After Placement	(DFPS Rules, 40 TAC § 720.41 (d))
33005	Document that Intake Information was Shared	(DFPS Rules, 40 TAC § 720.42 (e))
34101	Develop Plan Within 30 Days of Placement	(DFPS Rules, 40 TAC § 720.43 (a))
34102	Persons Involved in Initial Service Plan	(DFPS Rules, 40 TAC § 720.43 (b))
34103	Document Persons Who Participate in the Initial Service Plan	(DFPS Rules, 40 TAC § 720.43 (c))
34104a	Initial Service Plan -Child's Basic Needs of Day to Day Care and Development	(DFPS Rules, 40 TAC § 720.43 (d) (1))
34104b	Initial Service Plan - Specific Strategies to Meet Child's Needs	(DFPS Rules, 40 TAC § 720.43 (d) (2))
3421	Individual Behavior Intervention Case Evaluation Requirements	(DFPS Rules, 40 TAC § 720.1013 (a))
36205	Verification Form Given to Each Approved Home	(DFPS Rules, 40 TAC § 720.48 (e))
36306	All Verifications and Revocations Reported to the Licensing Department	(DFPS Rules, 40 TAC § 720.49 (f))

745.4061(8)	Pre-Adoptive Home Screening - Information must include the quality of prospective adoptive parents' marital and immediate family relationships	(DFPS Rules, 40 TAC § 745.4061 (8))
745.4093	Verifying a Home	(DFPS Rules, 40 TAC § 745.4093)
745.625	Background Check Requirements - When	(DFPS Rules, 40 TAC § 745.625)
745.625(5)	Background Checks Submitted Every 24 Months	(DFPS Rules, 40 TAC § 745.625 (5))

On 08/03/2006, TRACY PERRY, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF11001	Must be Responsible, Mature, Health Adults Capable of Meeting Needs of Children in Care	(DFPS Rules, 40 TAC § 720.117 (a))
---------	---	------------------------------------

On 07/31/2006, DIANE THOMPSON, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

18102a	Disciplinary Measures must be Consistent with Policies	(DFPS Rules, 40 TAC § 720.31 (b) (1))
--------	--	---------------------------------------

On 07/27/2006, DIANE THOMPSON, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF23104	Children Not Subjected to Harsh, Cruel, Unusual, or Humiliating Punishment	(DFPS Rules, 40 TAC § 720.31 (d))
AF23102a	Discipline - Consistent with Agency Policies	(DFPS Rules, 40 TAC § 720.31 (b) (1))
AF23108	Physical Punishment may not be used	(DFPS Rules, 40 TAC § 720.31 (h))

On 07/20/2006, TAMMY HANNA, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF11001	Must be Responsible, Mature, Health Adults Capable of Meeting Needs of Children in Care	(DFPS Rules, 40 TAC § 720.117 (a))
---------	---	------------------------------------

On 07/17/2006, ELIZABETH RODRIGUEZ, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF11001	Must be Responsible, Mature, Health Adults Capable of Meeting Needs of Children in Care	(DFPS Rules, 40 TAC § 720.117 (a))
---------	---	------------------------------------

On 03/18/2006, HENRY COLES, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

16102	Children must not be Abused or Neglected	(DFPS Rules, 40 TAC § 720.29 (a) (2))
-------	--	---------------------------------------

On 02/27/2006, KEVIN BROWN, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF22101	Children Must not be Abused or Neglected	(DFPS Rules, 40 TAC § 720.29 (a) (2))
AF11001	Must be Responsible, Mature, Health Adults Capable of Meeting Needs of Children in Care	(DFPS Rules, 40 TAC § 720.117 (a))

On 02/19/2006, ANGELITA LINDEMANN, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF23332	Personal Restraint Initiated to Minimize Risk of Discomfort, Harm, Pain	(DFPS Rules, 40 TAC § 720.1007 (c) (2))
---------	---	---

On 02/08/2006, DARRICK BLEDSOE SR, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF12001f	Agreement Between Agency and Foster Parents- Agency Responsible for Supervision	(DFPS Rules, 40 TAC § 720.117 (i))
AF41001	Serious Incidents Reported Immediately to Agency	(DFPS Rules, 40 TAC § 720.125 (a))

On 01/11/2006, COURTNEY MAYFIELD, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

745.625(5)	Background Checks Submitted Every 24 Months	(DFPS Rules, 40 TAC § 745.625 (5))
AF23104	Children Not Subjected to Harsh, Cruel, Unusual, or Humiliating Behavior	(DFPS Rules, 40 TAC § 720.31 (d))
14004	Must Operate According to Written Policies	(DFPS Rules, 40 TAC § 720.27 (4))

On 01/06/2006, CAROLYN MITCHELL, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

745.615(a)	Background Check Requirements - Each Person Over 14 Years or Older	(DFPS Rules, 40 TAC § 745.615 (a))
------------	--	------------------------------------

On 12/28/2005, SANDRA MILLNER, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF11001	Must be Responsible, Mature, Health Adults Capable of Meeting Needs of Children in Care	(DFPS Rules, 40 TAC § 720.117 (a))
---------	---	------------------------------------

On 12/20/2005, SANDRA MILLNER, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

18104	No Harsh, Cruel, Unusual, Unnecessary, Demeaning or Humiliating Punishment	(DFPS Rules, 40 TAC § 720.31 (d))
AF24001	Food of Adequate Quality and Sufficient Quantity to Supply Nutrients	(DFPS Rules, 40 TAC § 720.121 (a))
16102	Children must not be Abused or Neglected	(DFPS Rules, 40 TAC § 720.29 (a) (2))
745.615(a)	Background Check Requirements - Each Person Over 14 Years or Older	(DFPS Rules, 40 TAC § 745.615 (a))
AF11001	Must be Responsible, Mature, Health Adults Capable of Meeting Needs of Children in Care	(DFPS Rules, 40 TAC § 720.117 (a))
AF23102c	Discipline - Individualized to meet Each Child's Needs	(DFPS Rules, 40 TAC § 720.243 (h) (7))
18102a	Disciplinary Measures must be Consistent with Policies	(DFPS Rules, 40 TAC § 720.31 (b) (1))

On 12/12/2005, SANDRA MILLNER, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

16102	Children must not be Abused or Neglected	(DFPS Rules, 40 TAC § 720.29 (a) (2))
-------	--	---------------------------------------

On 10/13/2005, DARRICK BLEDSOE SR, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

18214	Reports to Licensing	(DFPS Rules, 40 TAC § 720.1005 (d))
AF12001f	Agreement Between Agency and Foster Parents- Agency Responsible for Supervision	(DFPS Rules, 40 TAC § 720.117 (i) (6))

On 10/11/2005, HENRY COLES, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

16102	Children must not be Abused or Neglected	(DFPS Rules, 40 TAC § 720.29 (a) (2))
23202	Persons involved in Child Care must be Responsible, Mature, Healthy Adults	(DFPS Rules, 40 TAC § 720.38 (b))

On 10/10/2005, ANGELITA LINDEMANN, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF11001	Must be Responsible, Mature, Health Adults Capable of Meeting Needs of Children in Care	(DFPS Rules, 40 TAC § 720.117 (a))
16102	Children must not be Abused or Neglected	(DFPS Rules, 40 TAC § 720.29 (a) (2))

On 10/03/2005, JENNIFER MOKRY, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

1100b1	Inform Licensing of Locations of Staff, Records, Offices and Agency Homes	(DFPS Rules, 40 TAC § 720.24 (b) (1))
--------	---	---------------------------------------

On 09/28/2005, ANGELITA LINDEMANN, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

AF33003	Each Child Has Own Bed and Mattress	(DFPS Rules, 40 TAC § 720.309 (f))
---------	-------------------------------------	------------------------------------

On 09/12/2005, CHRISTI MORRIS, Licensing Staff, conducted an investigation at the operation and found the following standard(s) deficiencies:

18102a	Disciplinary Measures must be Consistent with Policies	(DFPS Rules, 40 TAC § 720.31 (b) (1))
18102b	Disciplinary Measures must Not be Physically, Emotionally Damaging to Child	(DFPS Rules, 40 TAC § 720.31 (b) (2))

18108	Physical Punishment may not be Used with Child in Substitute Care or Adoption	(DFPS Rules, 40 TAC § 720.31 (h))
23202	Persons involved in Child Care must be Responsible, Mature, Healthy Adults	(DFPS Rules, 40 TAC § 720.38 (b))
31005	Agency Home Only 1 Type of Care if Conflicts with Children's Best Interest	(DFPS Rules, 40 TAC § 720.40 (d))
18104	No Harsh, Cruel, Unusual, Unnecessary, Demeaning or Humiliating Punishment	(DFPS Rules, 40 TAC § 720.31 (d))
16103	Children Placed and Supervised Appropriately in Least Restrictive Environment	(DFPS Rules, 40 TAC § 720.29 (a) (3))
36203	Ensure Agency Home has Appropriate, Qualified Staff for Care of Children	(DFPS Rules, 40 TAC § 720.48 (c))
16102	Children must not be Abused or Neglected	(DFPS Rules, 40 TAC § 720.29 (a) (2))

On 01/20/2005, VIRGINIA LA GRANGE, Licensing Staff, conducted an assessment and found the following standard(s) deficiencies:

AF33006	Not Regularly Sleep in Room with an Adult	(DFPS Rules, 40 TAC § 720.122 (e) (2))
---------	---	--

On 10/24/2006, LOLLY KAKUMANI, Licensing Staff, conducted an investigation at the operation, branch #1, and found the following standard(s) deficiencies:

16103	Children Placed and Supervised Appropriately in Least Restrictive Environment	(DFPS Rules, 40 TAC § 720.29 (a) (3))
AF11001	Must be Responsible, Mature, Health Adults Capable of Meeting Needs of Children in Care	(DFPS Rules, 40 TAC § 720.117 (a))

AG12001g	Agreement Between Agency and Home - Policy for Discipline, Supervision, Visits, Trips	(DFPS Rules, 40 TAC § 720.48 (f) (7))
----------	---	---------------------------------------

On 10/19/2006, CAROLYN MITCHELL, Licensing Staff, conducted an inspection at the operation, branch #1, and found the following standard(s) deficiencies:

36306	All Verifications and Revocations Reported to the Licensing Department	(DFPS Rules, 40 TAC § 720.49 (f))
-------	--	-----------------------------------

On 09/25/2006, CAROLYN MITCHELL, Licensing Staff, conducted an assessment, branch #1, and found the following standard(s) deficiencies:

36306	All Verifications and Revocations Reported to the Licensing Department	(DFPS Rules, 40 TAC § 720.49 (f))
-------	--	-----------------------------------

On 09/18/2006, CAROLYN MITCHELL, Licensing Staff, conducted an inspection at the operation, branch #1, and found the following standard(s) deficiencies:

745.615(a)	Background Check Requirements - Each Person Over 14 Years or Older	(DFPS Rules, 40 TAC § 745.615 (a))
AF23102a	Discipline - Consistent with Agency Policies	(DFPS Rules, 40 TAC § 720.120 (c))
AF23103	Only Adult Caregivers may Discipline	(DFPS Rules, 40 TAC § 720.120 (c) (1))
AF22201	Children Must have Suitable Clothing	(DFPS Rules, 40 TAC § 720.119 (b))
AF32001	Home and Outdoor Areas Maintained, Repaired, Cleaned not Hazardous	(DFPS Rules, 40 TAC § 720.122 (b))

On 09/14/2006, CAROLYN MITCHELL, Licensing Staff, conducted an inspection at the operation, branch #1, and found the following standard(s) deficiencies:

16103	Children Placed and Supervised Appropriately in Least Restrictive Environment	(DFPS Rules, 40 TAC § 720.29 (a) (3))
-------	---	---------------------------------------

24303b	Therapeutic Foster, Agency Home, Agency Group Foster Parents Training	(DFPS Rules, 40 TAC § 720.39 (c) (3) (B))
36201	Perform an Inspection Including Verification of Firearms and Precautions	(DFPS Rules, 40 TAC § 720.48 (a))
36301	Agency Evaluates all Minimum Standards at Least Every Two Years	(DFPS Rules, 40 TAC § 720.49 (a))
36205	Verification Form Given to Each Approved Home	(DFPS Rules, 40 TAC § 720.48 (e))
36202	Document Level 1 Approval of Home	(DFPS Rules, 40 TAC § 720.48 (b))
36302	Make and Document Supervisory Visits to Each Agency Home-at Least Quarterly	(DFPS Rules, 40 TAC § 720.49 (b))
745.4061(7)	Pre-Adoptive Home Screening - Information must include any disabilities of prospective adoptive parents	(DFPS Rules, 40 TAC § 745.4061 (7))
745.615(a)	Background Check Requirements - Each Person Over 14 Years or Older	(DFPS Rules, 40 TAC § 745.615 (a))
745.4093	Verifying a Home	(DFPS Rules, 40 TAC § 745.4093)
745.4061(6)	Pre-Adoptive Home Screening - Information must include health status (physical, mental, and emotional) of prospective adoptive parents	(DFPS Rules, 40 TAC § 745.4061 (6))

On 08/31/2006, CAROLYN MITCHELL, Licensing Staff, conducted an inspection at the operation, branch #1, and found the following standard(s) deficiencies:

19101	Written Reports for Serious Incidents within 24 Hours of Occurrence	(DFPS Rules, 40 TAC § 720.32 (1))
-------	---	-----------------------------------

On 08/14/2006, REBECCA CALVO, Licensing Staff, conducted an investigation at the operation, branch #1, and found the following standard(s) deficiencies:

AF23102a	Discipline - Consistent with Agency Policies	(DFPS Rules, 40 TAC § 720.120 (c))
----------	--	------------------------------------

On 06/13/2006, HENRY COLES, Licensing Staff, conducted an inspection at the operation, branch #1, and found the following standard(s) deficiencies:

AF23102a	Discipline - Consistent with Agency Policies	(DFPS Rules, 40 TAC § 720.120 (c))
----------	--	------------------------------------

On 06/09/2006, CAROLYN MITCHELL, Licensing Staff, conducted an inspection at the operation, branch #1, and found the following standard(s) deficiencies:

18108	Physical Punishment may not be Used with Child in Substitute Care or Adoption	(DFPS Rules, 40 TAC § 720.31 (h))
745.4061	Pre-Adoptive Home Screening - Information Included	(DFPS Rules, 40 TAC § 745.4061)

On 05/23/2006, CAROLYN MITCHELL, Licensing Staff, conducted an inspection at the operation, branch #1, and found the following standard(s) deficiencies:

23201a	Screening Program Ensures Foster Parents, Staff Able to Benefit from Training	(DFPS Rules, 40 TAC § 720.38 (a) (1))
HRC42059	Employment Affidavit	(DFPS Rules, 40 TAC §)
AJ30001	Must Develop Diagnostic Assessment, Treatment Plan Within 30 Days of Admission	(DFPS Rules, 40 TAC § 720.137 (a) (1))
AF33002	Sleeping Rooms 40 Square Feet per Occupant, Single Occupancy 80 Square Feet	(DFPS Rules, 40 TAC § 720.137 (a) (1) (A))
745.625(5)	Background Checks Submitted Every 24 Months	(DFPS Rules, 40 TAC § 745.625 (5))

745.4093	Verifying a Home	(DFPS Rules, 40 TAC § 745.4093)
745.4061	Pre-Adoptive Home Screening - Information Included	(DFPS Rules, 40 TAC § 745.4061)
34204	Participation in Service Plan Review Documented	(DFPS Rules, 40 TAC § 720.44 (d))
34202	Parents, Managing Conservator Notified of Review in Advance	(DFPS Rules, 40 TAC § 720.44 (b))
34103	Document Persons Who Participate in the Initial Service Plan	(DFPS Rules, 40 TAC § 720.43(c))
34102	Persons Involved in Initial Service Plan	(DFPS Rules, 40 TAC § 720.43 (b))
32105	Dental Examination Within One Year Prior to Placement if Over 3 Years Old	(DFPS Rules, 40 TAC § 720.41 (e))
24311	Annual Behavior Intervention Training Requirements	(DFPS Rules, 40 TAC § 720.1012 (c) (1))
32104	Medical Examination Within 30 Days Prior or Within 30 Days After Placement	(DFPS Rules, 40 TAC § 720.41(d))

On 05/01/2006, CAROLYN MITCHELL, Licensing Staff, conducted an inspection at the operation, branch #1, and found the following standard(s) deficiencies:

AG13002c	One Adult Available in Home when Children are in School or Work	(DFPS Rules, 40 TAC § 720.303(d)(3))
AG23105	Child Not Denied Food, Mail, Visits with Families as Punishment	(DFPS Rules, 40 TAC § 720.305(g)(3))
AG24001	Nutrition -Food of Adequate Quality and Quantity to Supply Nutrients	(DFPS Rules, 40 TAC § 720.307(4))
AG21002	Agency Foster Group - Daily Schedule	(DFPS Rules, 40 TAC § 720.304(b))

AG13003 Children Not Unsupervised (DFPS Rules, 40 TAC §
720.303(e))

On 02/24/2006, CAROLYN MITCHELL, Licensing Staff, conducted an assessment, branch #1, and found the following standard(s) deficiencies:

36204 Not Place Children Until Home is (DFPS Rules, 40 TAC §
Studied and Verified 720.48(d))

On 02/23/2006, CAROLYN MITCHELL, Licensing Staff, conducted an assessment, branch #1, and found the following standard(s) deficiencies:

36306 All Verifications and Revocations (DFPS Rules, 40 TAC § 720.49(f))
Reported to the Licensing Department

On 02/23/2006, NORMA EAVES, Licensing Staff, conducted an investigation at the operation, branch #1, and found the following standard(s) deficiencies:

23202 Persons involved in Child Care must (DFPS Rules, 40 TAC §
be Responsible, Mature, Healthy 720.38(b))
Adults

16303 Money Earned, Gift, Allowance must (DFPS Rules, 40 TAC §
be Personal Property 720.29(c)(3))

18104 No Harsh, Cruel, Unusual, (DFPS Rules, 40 TAC §
Unnecessary, Demeaning or 720.31(d))
Humiliating Punishment

18105 Children must not be Denied Food, (DFPS Rules, 40 TAC §
Mail, Visits with Family as Punishment 720.31(e))

18102b Disciplinary Measures must Not be (DFPS Rules, 40 TAC §
Physically, Emotionally Damaging to 720.31(b)(2))
Child

On 01/26/2006, CAROLYN MITCHELL, Licensing Staff, conducted an inspection at the operation, branch #1, and found the following standard(s) deficiencies:

14108	Must Explain to Child the Policies and Procedures on Restraint	(DFPS Rules, 40 TAC § 720.1003(h))
17201	Examinations, Medical or Dental Visits, Treatment Documented	(DFPS Rules, 40 TAC § 720.30(b)(1))
24303a	Infant/Child CPR, First Aid Training Required for Certification	(DFPS Rules, 40 TAC § 720.39(c)(3)(A))
24305	Training Documentation	(DFPS Rules, 40 TAC § 720.39(c)(5))
745.4103	Health and Fire Inspections Current	(DFPS Rules, 40 TAC § 745.4103)
745.4061(4)	Pre-Adoptive Home Screening - Information must include a history of the prospective adoptive parents' residence and their citizenship status	(DFPS Rules, 40 TAC § 745.4061(4))
745.4061(20)	Pre-Adoptive Home Screening-includes telephone numbers given to prospective adoptive parents for filing complaints about how screening was conducted	(DFPS Rules, 40 TAC § 745.4061(20))
745.4061(17)	Pre-Adoptive Home Screening - Information must include the financial status of the prospective adoptive family	(DFPS Rules, 40 TAC § 745.4061(17))
745.4061(10)	Pre-Adoptive Home Screening - Information must include the prospective adoptive parents' attitude about the adoptive child's religion, if applicable	(DFPS Rules, 40 TAC § 745.4061(10))
745.4033(b)	Required Interviews includes any minor child 12 years old or older or adult child of prospective foster or adoptive parents not living in home	(DFPS Rules, 40 TAC § 745.4033(b))
36306	All Verifications and Revocations Reported to the Licensing Department	(DFPS Rules, 40 TAC § 720.49(f))

36305	Verification Applies Only to Location of the Residence When Study was Made	(DFPS Rules, 40 TAC § 720.49(e))
36303	Supervisory Visits not Required when no Children are In Care	(DFPS Rules, 40 TAC § 720.49(c))
36205	Verification Form Given to Each Approved Home	(DFPS Rules, 40 TAC § 720.48(e))
36202	Document Level 1 Approval of Home	(DFPS Rules, 40 TAC § 720.48(b))
34323	Document Child's Understanding and Response to the Move	(DFPS Rules, 40 TAC § 720.45(b)(3))
34322	Agency Staff Discuss Circumstances with the Child Prior to the Move	(DFPS Rules, 40 TAC § 720.45(b)(2))
34321	Level 1 Staff must Approve Subsequent Placement Within 10 Working Days	(DFPS Rules, 40 TAC § 720.45(b)(1))
34205	Service Plan Review	(DFPS Rules, 40 TAC § 720.44(e))
34202	Parents, Managing Conservator Notified of Review in Advance	(DFPS Rules, 40 TAC § 720.44(b))
34103	Document Persons Who Participate in the Initial Service Plan	(DFPS Rules, 40 TAC § 720.43(c))
34101	Develop Plan Within 30 Days of Placement	(DFPS Rules, 40 TAC § 720.43(a))
32104	Medical Examination Within 30 Days Prior or Within 30 Days After Placement	(DFPS Rules, 40 TAC § 720.41(d))
32103c	Obtain Child's Understanding, Response to Consideration of Placement	(DFPS Rules, 40 TAC § 720.41(c)(3))
24311	Annual Behavior Intervention Training Requirements	(DFPS Rules, 40 TAC § 720.1012(c)(1))

24303b	Therapeutic Foster, Agency Home, Agency Group Foster Parents Training	(DFPS Rules, 40 TAC § 720.39(c)(3)(B))
17202	Must keep Current Immunization Records and Tuberculosis Screening Records	(DFPS Rules, 40 TAC § 720.30(b)(2))
17107	Prescribing Physician Evaluates Mind Altering or Behavior Modifying Medication	(DFPS Rules, 40 TAC § 720.30 (a) (7))
14302	Pre-Service Training Before being Responsible for Care of Children	(DFPS Rules, 40 TAC § 720.1012 (b) (1))
16202b	Communication Restrictions Determined by Level 1 Staff	(DFPS Rules, 40 TAC § 720.29 (b) (2) (B))
16202c	Restrictions Longer than One Month must be Evaluated Monthly	(DFPS Rules, 40 TAC § 720.29 (b) (2) (C))

On 12/22/2005, CAROLYN MITCHELL, Licensing Staff, conducted an investigation at the operation, branch #1, and found the following standard(s) deficiencies:

14004	Must Operate According to Written Policies	(DFPS Rules, 40 TAC § 720.27 (4))
-------	--	-----------------------------------

Copies of forms or letters from the inspections or investigations used as basis for this action are incorporated by reference and are enclosed with this notice.

The deficiencies noted during the past inspections and/or investigations reveal that the continued operation poses a risk to the health and/or safety of children. **Therefore, you must discontinue operating pending the outcome of a due process hearing.** Section §42.072(e) of the Human Resources Code and 40 Texas Administrative Code, Section 745.8875 requires that you cease operation unless you obtain injunctive relief from a district court in Travis County, or the county in which the operation is located, to allow you to operate pending your appeal. You may refer to 40 Texas Administrative Code, Section 745.751 for further information regarding the factors that Child Care Licensing considers when determining an immediate threat to the health and/or safety of children.

Within five (5) days of receipt of this letter, you must send a copy of this letter by certified mail to the parents or managing conservator of each child currently enrolled in your operation, if any, notifying them of this intended action. Within five (5) days after receipt from parents, you

must file the copies of the certified receipts with DFPS. Parents seeking to enroll children after the operation has received this notice must also be notified prior to enrollment.

You have the right to request an administrative review. If you wish to request a review, you may write Larry Spiars, 701 W. 51st St, Austin, TX 78751 (512) 438-3269. The purpose of the administrative review is to give you an opportunity to discuss the adverse action with a designated member of the Licensing staff and to provide additional information concerning the disputed issue. For additional information concerning administrative reviews, please refer to 40 Texas Administrative Code, Section 745.8809 - 8817.

You have fifteen (15) calendar days from receipt of this letter to request an administrative review. If you do not request an administrative review, a decision notice will be issued to you explaining the final phase of this adverse action. You may not reapply for a permit for five years after the date that this revocation takes effect.

This notice must be posted in a prominent place (or places) near each public entrance as soon as you receive it.

Sincerely,

CHARLANE BATEMAN
Director of Residential Licensing
(512) 438-3249

Enclosure(s): Investigation Letter dated 11/1/2006
Investigation Letter dated 10/30/2006
Investigation Letter dated 10/24/2006
Investigation Letter dated 10/20/2006
Investigation Letter dated 10/13/2006
Inspection Form 2936 dated 10/9/2006
Inspection Form 2936 dated 9/26/2006
Investigation Letter dated 9/22/2006
Inspection Form 2936 dated 9/19/2006
Inspection Form 2936 dated 9/14/2006
Inspection Form 2936 dated 9/5/2006
Investigation Letter dated 8/3/2006
Investigation Letter dated 7/31/2006
Investigation Letter dated 7/26/2006
Investigation Letter dated 7/20/2006
Investigation Letter dated 7/17/2006
Investigation Letter dated 3/18/2006
Investigation Letter dated 2/27/2006
Investigation Letter dated 2/19/2006
Investigation Letter dated 2/15/2006
Investigation Letter dated 1/11/2006
Investigation Letter dated 1/6/2006
Investigation Letter dated 12/28/2006
Investigation Letter dated 12/19/2006
Investigation Letter dated 12/12/2006
Investigation Letter dated 12/17/2006
Investigation Letter dated 10/11/2005
Investigation Letter dated 10/3/2006
Investigation Letter dated 9/21/2005
Assessment Form 2936 dated 1/20/2005
Investigation Letter dated 10/24/2006
Inspection Form 2936 dated 10/19/2006
Assessment Form 2936 dated 9/25/2006
Inspection Form 2936 dated 9/18/2006
Inspection Form 2936 dated 9/14/2006
Inspection Form 2936 dated 8/31/2006
Investigation Letter dated 8/14/2006
Inspection Form 2936 dated 6/13/2006
Inspection Form 2936 dated 6/9/2006
Inspection Form 2936 dated 5/23/2006
Inspection Form 2936 dated 5/1/2006
Assessment Form 2936 dated 2/24/2006

Artie Hilliard Jr.
November 3, 2006
Page 23

Assessment Form 2936 dated 2/23/2006
Investigation Letter dated 2/23/2006
Inspection Form 2936 dated 1/26/2006
Investigation Letter dated 12/22/2005

cc: Diana Spiser, Assistant Commissioner for Child Care Licensing
Joyce James, Assistant Commissioner for Child Protective Services
Jeanne Coale, Assistant Commissioner for Purchased Client Services
Heather Shiels, Director for Purchased Client Services
Gerry Williams, General Counsel
Doug Barnes, Director for Administrative Hearings
Jacque Seale, Regional Director for Child Protective Services
David Barberena, Manager for Residential Licensing