

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 Protective Services	Part 1. Texas Health and Human Services Commission
Chapter 711. Investigations of Individuals Receiving Services from Certain Providers	Chapter 711. Investigations of Individuals 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 defined?	§711.3. How are the terms in this chapter defined?
§711.5. What does APS investigate under this chapter?	§711.5. What does PI investigate under this chapter?
§711.7. What does APS not investigate under this chapter?	§711.7. What does PI not investigate under 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 defined?	§711.17. How is verbal/emotional abuse 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, neglect, or exploitation?	§711.23. What is not considered abuse, neglect, or exploitation?
Subchapter C. Duty to Report	Subchapter C. Duty to Report
§711.201. What is your duty to report if you are a direct provider or service provider?	§711.201. What is your duty to report if you are a direct provider or service provider?
Subchapter E. Conducting the Investigation	Subchapter E. Conducting the Investigation
§711.401. When does the Investigator notify law enforcement and OIG for allegations of abuse, neglect, or exploitation and when is the identity of the reporter revealed?	§711.401. When does the Investigator notify law enforcement and OIG for allegations of abuse, neglect, or exploitation and when is the identity of the reporter revealed?
§711.402. What provider and Health and Human Services agency does the Investigator notify for allegations of abuse, neglect, or exploitation and when is the identity of the reporter revealed?	§711.402. What provider and Health and Human Services agency does the Investigator notify for allegations of abuse, neglect, or exploitation and when is the identity of the reporter revealed?
§711.403. Who and when does the investigator notify upon receiving an allegation that relates to a general complaint?	§711.403. Who and when does the investigator notify upon receiving an allegation that relates to a general complaint?
§711.405. What action does the investigator take if the alleged perpetrator is a licensed professional?	§711.405. What action does the investigator take if the alleged perpetrator is a licensed professional?
§711.413. How are investigations prioritized?	§711.413. How are investigations prioritized?

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

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