



TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

COMMISSIONER
Howard G. Baldwin, Jr

November 16, 2012

Ed Prettyman
1106 W. Dittmar
Austin, TX 78745

Operation #006040
Texas NeuroRehab Center

Investigation # 1923861

Dear Mr. Prettyman:

Your operation, Texas NeuroRehab Center located at 1106 West Dittmar, Austin, TX 78745, was recently investigated because the Department received a report concerning possible deficiency or deficiencies of the Minimum Standard Rules or the law. This was a self-report made on 09/25/2012 in compliance with the minimum standards.

Specifically, the report states the following that led to this investigation:

A child in care was restrained by staff and the child was injured.

The applicable laws, administrative rules or Minimum Standard rules have been evaluated and findings are below:

Inspection Start Date	Standard/Rule Description	Specifics	Deficient?	Comply By	TA Given
09/27/2012	748.2553(2)(C) EBI Release-Child released from personal restraint as soon as child is not a danger to self or others		N		N
09/27/2012	748.2851(b) EBI Follow-Up-Caregivers involved in EBI must conduct a post discussion with child		N		N
09/27/2012	748.2551(c)(2) EBI Implementation-Caregiver must use the minimal amount of reasonable and necessary physical force		N		Y
09/27/2012	748.2601(a) Personal Restraint Monitor-Qualified caregiver monitors child for signs of physical distress & ensures ample respiration, circulation, well-being		N		N
09/27/2012	748.2303(a) Corporal Punishment-May not use/threaten corporal punishment, such as hitting/spanking, forced exercise, holding physical position, unproductive work.		N		N

09/27/2012	748.2453 Emergency Behavior Intervention-Only a qualified caregiver may administer emergency behavior intervention, except short personal restraint		N		N
09/27/2012	748.2551(a) EBI Implementation-Must be an appropriate response to the behavior demonstrated, and de-escalation must have failed		N		N
09/27/2012	748.2551(c)(1) EBI Implementation-Caregiver must minimize risk of physical discomfort, harm, or pain to the child		N		N
09/27/2012	748.2553(2)(A) EBI Release-Child released from personal restraint immediately in emergency health situation and treatment obtained immediately		N		N
09/27/2012	748.1101(b)(4) Children's rights-Adhere to the child's rights to be free of abuse, neglect, and exploitation as defined in Texas Family Code 261.401		N		N

The Technical Assistance provided for these standards described below:

Standard/Rule Description	Technical Assistance Given

748.2551(c)(2) EBI Implementation-Caregiver must use the minimal amount of reasonable and necessary physical force	It is recommended the agency ensure staff are restraining a child with minimal force. It is suggested the operation re-train staff on appropriate ways to handle a child struggling when being put into a restraint to prevent injuries from occurring.
--	---

If an inspection was conducted as part of this investigation, you received an inspection report form.

Failure to maintain compliance on an ongoing basis may result in remedial actions.

If you disagree with the actions or decisions of the licensing staff, you may request an administrative review within 15 days of the receipt of this letter by writing Willie Salas, RCCL, MC 278-5; PO Box 23990; San Antonio, TX 782223-0990; FAX: 210-304-7747

If you have any other questions or need additional information, please contact me.

Sincerely,

CRYSTAL MOORE
Licensing Investigator
(512) 834-3894