Figure: 40 TAC Chapter 41

Current Rules	Move to
Title 40. Social Services and Assistance	Title 26. Health and Human Services
Part 1. Department of Aging and Disability	Part 1. Health and Human Services
Services	Commission
Chapter 41. Consumer Directed Services	Chapter 264. Consumer Directed Services
Option Directed Strikes	Option
Subchapter A. Introduction	Subchapter A. Introduction
§41.101. Introduction.	§264.101. Introduction.
§41.103. Definitions.	§264.103. Definitions.
§41.105. Application.	§264.105. Application.
§41.107. Overview of the CDS Option.	§264.107. Overview of the CDS Option.
§41.108. Services Available Through the	§264.108. Services Available Through the
CDS Option.	CDS Option.
§41.109. Enrollment in the CDS Option.	§264.109. Enrollment in the CDS Option.
§41.111. Service Planning in the CDS Option.	§264.111. Service Planning in the CDS
	Option.
Subchapter B. Responsibilities of	Subchapter B. Responsibilities of
Employers and Designated Representatives	Employers and Designated Representatives
§41.205. Employer Appointment of a	§264.205. Employer Appointment of a
Designated Representative.	Designated Representative.
§41.206. Proof of Guardianship for the	§264.206. Proof of Guardianship for the
Employer.	Employer.
§41.207. Initial Orientation of an Employer.	§264.207. Initial Orientation of an Employer.
§41.209. Employer-Agent Registration.	§264.209. Employer-Agent Registration.
§41.211. Financial Management Services.	§264.211. Financial Management Services.
§41.213. Employer Support Services.	§264.213. Employer Support Services.
§41.215. Employer Role in the Service	§264.215. Employer Role in the Service
Planning Process.	Planning Process.
§41.217. Employer Responsibilities	§264.217. Employer Responsibilities
Regarding Service Backup Plan.	Regarding Service Backup Plan.
§41.219. CDSA Reports.	§264.219. CDSA Reports.
§41.221. Corrective Action Plans.	§264.221. Corrective Action Plans.
§41.223. Liability Acknowledgment and	§264.223. Liability Acknowledgment and
Workers' Compensation.	Workers' Compensation.
§41.225. Criminal History Check of an	§264.225. Criminal History Check of an
Applicant for Employment and an Employee.	Applicant for Employment and an Employee.
§41.227. Required Registry Checks.	§264.227. Required Registry Checks.
§41.229. Licensure and Certification	§264.229. Licensure and Certification
Verification.	Verification.
§41.231. Verification of Eligibility of an	§264.231. Verification of Eligibility of an
Employee or Contractor.	Employee or Contractor.
§41.233. Training and Management of	§264.233. Training and Management of
Service Providers.	Service Providers.

§41.235. Verification of Eligibility for	§264.235. Verification of Eligibility for
Vendors.	Vendors.
§41.237. Service Provider Agreements.	§264.237. Service Provider Agreements.
§41.238. Service Delivery Requirements.	§264.238. Service Delivery Requirements.
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§41.239. Documentation of Services Delivered.	§264.239. Documentation of Services Delivered.
§41.241. Payment of Services.	§264.241. Payment of Services.
§41.243. Record Retention.	§264.243. Record Retention.
Subchapter C. Enrollment and	Subchapter C. Enrollment and
Responsibilities of Financial Management	Responsibilities of Financial Management
Services Agencies (FMSAS)	Services Agencies (FMSAS)
§41.301. Contracting as an FMSA.	§264.301. Contracting as an FMSA
§41.303. Obtaining and Revoking Federal and	§264.303. Obtaining and Revoking Federal
State Approval to be a Vendor	and State Approval to be a Vendor
Fiscal/Employer Agent.	Fiscal/Employer Agent
§41.305. Appointment of a Designated	§264.305. Appointment of a Designated
Representative.	Representative.
§41.306. Proof of Guardianship for Financial	§264.306. Proof of Guardianship for
Management Services Agencies.	Financial Management Services Agencies.
§41.307. Initial Orientation of an Employer.	§264.307. Initial Orientation of an Employer.
§41.309. Financial Management Services,	§264.309. Financial Management Services,
CFC Support Management, and Vendor	CFC Support Management, and Vendor
Fiscal/Employer Agent Responsibilities.	Fiscal/Employer Agent Responsibilities.
§41.311. Employer Support Services and	§264.311. Employer Support Services and
Support Consultation Services.	Support Consultation Services.
§41.313. Individual Service Planning Process.	§264.313. Individual Service Planning
	Process.
§41.315. Service Back-up Plan.	§264.315. Service Back-up Plan.
§41.317. CDSA Reports.	§264.317. CDSA Reports.
§41.319. Corrective Action Plans.	§264.319. Corrective Action Plans.
§41.321. Liability Acknowledgment and	§264.321. Liability Acknowledgment and
Workers' Compensation.	Workers' Compensation.
§41.323. Criminal History Check of an	§264.323. Criminal History Check of an
Applicant for Employment and to be an	Applicant for Employment and to be an
Employee.	Employee.
§41.325. Required Registry Checks of an	§264.325. Required Registry Checks of an
Applicant to be an Employee.	Applicant to be an Employee.
§41.327. Verification of Applicants for	§264.327. Verification of Applicants for
Employees, Contractors, and Vendors.	Employees, Contractors, and Vendors.
§41.329. Continued Eligibility of an	§264.329. Continued Eligibility of an
Employee, Contractor, or Vendor.	Employee, Contractor, or Vendor.
§41.331. Evaluation of Job Performance and	§264.331. Evaluation of Job Performance and
Satisfaction.	Satisfaction.
§41.333. Service Agreements.	§264.333. Service Agreements.
§41.335. Documentation of Services	§264.335. Documentation of Services
Delivered.	Delivered.
Donvoica.	Donvoicu.

§41.337. Payment of Services.	§264.337. Payment of Services.
§41.339. Records.	§264.339. Records.
Subchapter D. Enrollment, Transfer,	Subchapter D. Enrollment, Transfer,
Suspension, And Termination	Suspension, And Termination
§41.401. Enrollment Process.	§264.401. Enrollment Process.
§41.403. Transfer Process.	§264.403. Transfer Process.
§41.404. Ensuring Development, Approval,	§264.404. Ensuring Development, Approval,
and Review of Service Backup Plans.	and Review of Service Backup Plans.
§41.405. Suspension of Participation in the	§264.405. Suspension of Participation in the
CDS Option.	CDS Option.
§41.407. Termination of Participation in the	§264.407. Termination of Participation in the
CDS Option.	CDS Option.
§41.409. Re-enrollment for Participation in	§264.409. Re-enrollment for Participation in
the CDS Option.	the CDS Option.
Subchapter E. Budgets	Subchapter E. Budgets
§41.501. Budget Development.	§264.501. Budget Development.
§41.503. Financial Management Services.	§264.503. Financial Management Services.
§41.505. Payroll Budgeting.	§264.505. Payroll Budgeting.
§41.507. Employer Support Services	§264.507. Employer Support Services
Budgeting.	Budgeting.
§41.509. Budget Approval.	§264.509. Budget Approval.
§41.511. Budget Revisions and Approval.	§264.511. Budget Revisions and Approval.
Subchapter F. Support Consultation	Subchapter F. Support Consultation
Services and Support Advisory	Services and Support Advisory
Responsibilities	Responsibilities
§41.601. Support Consultation Services.	§264.601. Support Consultation Services.
§41.603. Support Advisor Qualifications.	§264.603. Support Advisor Qualifications.
§41.605. Support Advisor Responsibilities.	§264.605. Support Advisor Responsibilities.
Subchapter G. Allegations of Abuse,	Subchapter G. Allegations of Abuse,
Neglect, and Exploitation	Neglect, and Exploitation
§41.701. Reporting Allegations of Abuse,	§264.701. Reporting Allegations of Abuse,
Neglect, or Exploitation of an Individual.	Neglect, or Exploitation of an Individual.
§41.702. Requirements Related to HHSC	§264.702. Requirements Related to HHSC
Investigations When an Alleged Perpetrator is	Investigations When an Alleged Perpetrator is
a Service Provider.	a Service Provider.
§41.703. Requirements Related to HHSC	§264.703. Requirements Related to HHSC
Investigations When an Alleged Perpetrator is	Investigations When an Alleged Perpetrator is
a Staff Person or a Controlling Person of an	a Staff Person or a Controlling Person of an
FMSA.	FMSA.
Subchapter H. Oversight	Subchapter H. Oversight
§41.801. Oversight.	§264.801. Oversight.