

TRANSFERRED RULES

The Government Code, §2002.058, authorizes the Secretary of State to remove or transfer rules within the Texas Administrative Code when the agency that promulgated the rules is abolished. The Secretary of State will publish notice of rule transfer or removal in this section of the *Texas Register*. The effective date of a rule transfer is the date set by the legislature, not the date of publication of notice. Proposed or emergency rules are not subject to administrative transfer.

Department of State Health Services

Rule Transfer

During the 84th Legislative Session, the Texas Legislature passed Senate Bill 200, addressing the reorganization of health and human services delivery in Texas. As a result, certain functions previously performed by the Department of State Health Services (DSHS), including client services, certain regulatory functions, and the operation of state hospitals, transferred to the Texas Health and Human Services Commission (HHSC) in accordance with Texas Government Code, §531.0201 and §531.02011. The DSHS rules in Texas Administrative Code, Title 25, Part 1, Chapter 135, Ambulatory Surgical Centers, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 508, Ambulatory Surgical Centers.

The rules will be transferred in the Texas Administrative Code effective January 31, 2025.

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 135

TRD-202406138

Health and Human Services Commission

Rule Transfer

During the 84th Legislative Session, the Texas Legislature passed Senate Bill 200, addressing the reorganization of health and human services delivery in Texas. As a result, certain functions previously performed by the Department of State Health Services (DSHS), including client services, certain regulatory functions, and the operation of state hospitals, transferred to the Texas Health and Human Services Commission (HHSC) in accordance with Texas Government Code, §531.0201 and §531.02011. The DSHS rules in Texas Administrative Code, Title 25, Part 1, Chapter 135, Ambulatory Surgical Centers, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 508, Ambulatory Surgical Centers.

The rules will be transferred in the Texas Administrative Code effective January 31, 2025.

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 135

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Figure: 25 TAC Chapter 135

Current Rules	Move to
Title 25. Health Services	Title 26. Health and Human Services
Part 1. Department of State Health Services	Part 1. Health and Human Services Commission
Chapter 135. Ambulatory Surgical Centers	Chapter 508. Ambulatory Surgical Centers
Subchapter A. Operating Requirements for Ambulatory Surgical Centers	Subchapter A. Operating Requirements for Ambulatory Surgical Centers
§135.1. Scope and Purpose.	§508.1. Scope and Purpose.
§135.2. Definitions.	§508.2. Definitions.
§135.3. Fees.	§508.3. Fees.
§135.4. Ambulatory Surgical Center (ASC) Operation.	§508.4. Ambulatory Surgical Center (ASC) Operation.
§135.5. Patient Rights.	§508.5. Patient Rights.
§135.6. Administration.	§508.6. Administration.
§135.7. Quality of Care.	§508.7. Quality of Care.
§135.8. Quality Assurance.	§508.8. Quality Assurance.
§135.9. Medical Records.	§508.9. Medical Records.
§135.10. Facilities and Environment.	§508.10. Facilities and Environment.
§135.11. Anesthesia and Surgical Services.	§508.11. Anesthesia and Surgical Services.
§135.12. Pharmaceutical Services.	§508.12. Pharmaceutical Services.
§135.13. Pathology and Medical Laboratory Services.	§508.13. Pathology and Medical Laboratory Services.
§135.14. Radiology Services.	§508.14. Radiology Services.
§135.15. Facility Staffing and Training.	§508.15. Facility Staffing and Training.
§135.16. Teaching and Publication.	§508.16. Teaching and Publication.
§135.17. Research Activities.	§508.17. Research Activities.
§135.18. Unlicensed Ambulatory Surgical Center.	§508.18. Unlicensed Ambulatory Surgical Center.
§135.19. Exemptions.	§508.19. Exemptions.
§135.20. Initial Application and Issuance of License.	§508.20. Initial Application and Issuance of License.
§135.21. Inspections.	§508.21. Inspections.
§135.22. Renewal of License.	§508.22. Renewal of License.
§135.23. Conditions of Licensure.	§508.23. Conditions of Licensure.
§135.24. Enforcement.	§508.24. Enforcement.
§135.25. Complaints.	§508.25. Complaints.
§135.26. Reporting Requirements.	§508.26. Reporting Requirements.
§135.28. Confidentiality.	§508.28. Confidentiality.
§135.29. Time Periods for Processing and Issuing a License.	§508.29. Time Periods for Processing and Issuing a License.
§135.30. Miscellaneous Policies and Protocols.	§508.30. Miscellaneous Policies and Protocols.
§135.31. Workplace Violence Prevention.	§508.31. Workplace Violence Prevention.

Subchapter B. Fire Prevention and Safety Requirements	Subchapter B. Fire Prevention and Safety Requirements
§135.41. Fire Prevention and Protection.	§508.41. Fire Prevention and Protection.
§135.42. General Safety.	§508.42. General Safety.
§135.43. Handling and Storage of Gases, Anesthetics, and Flammable Liquids.	§508.43. Handling and Storage of Gases, Anesthetics, and Flammable Liquids.
Subchapter C. Physical Plant and Construction Requirements	Subchapter C. Physical Plant and Construction Requirements
§135.51. Construction Requirements for an Existing Ambulatory Surgical Center.	§508.51. Construction Requirements for an Existing Ambulatory Surgical Center.
§135.52. Construction Requirements for a New Ambulatory Surgical Center.	§508.52. Construction Requirements for a New Ambulatory Surgical Center.
§135.53. Elevators, Escalators, and Conveyors.	§508.53. Elevators, Escalators, and Conveyors.
§135.54. Preparation, Submittal, Review and Approval of Plans, and Retention of Records.	§508.54. Preparation, Submittal, Review and Approval of Plans, and Retention of Records.
§135.55. Construction, Inspections, and Approval of Project.	§508.55. Construction, Inspections, and Approval of Project.
§135.56. Construction Tables.	§508.56. Construction Tables.

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