

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 133, Hospital Licensing, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 505, Hospital Licensing.

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 133

TRD-202406365

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 133, Hospital Licensing, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 505, Hospital Licensing.

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 133

TRD-202406366

Figure: 25 TAC Chapter 133

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 133. Hospital Licensing	Chapter 505. Hospital Licensing
Subchapter A. General Provisions	Subchapter A. General Provisions
§133.1. Purpose.	§505.1. Purpose.
§133.2. Definitions.	§505.2. Definitions.
Subchapter B. Hospital License	Subchapter B. Hospital License
§133.21. General.	§505.21. General.
§133.22. Application and Issuance of Initial License.	§505.22. Application and Issuance of Initial License.
§133.23. Application and Issuance of Renewal License.	§505.23. Application and Issuance of Renewal License.
§133.24. Change of Ownership.	§505.24. Change of Ownership.
§133.25. Time Periods for Processing and Issuing Hospital Licenses.	§505.25. Time Periods for Processing and Issuing Hospital Licenses.
§133.26. Fees.	§505.26. Fees.
Subchapter C. Operational Requirements	Subchapter C. Operational Requirements
§133.41. Hospital Functions and Services.	§505.41. Hospital Functions and Services.
§133.42. Patient Rights.	§505.42. Patient Rights.
§133.43. Discrimination or Retaliation Standards.	§505.43. Discrimination or Retaliation Standards.
§133.44. Hospital Patient Transfer Policy.	§505.44. Hospital Patient Transfer Policy.
§133.45. Miscellaneous Policies and Protocols.	§505.45. Miscellaneous Policies and Protocols.
§133.46. Billing Requirements.	§505.46. Billing Requirements.
§133.47. Abuse and Neglect Issues.	§505.47. Abuse and Neglect Issues.
§133.49. Reporting Requirements.	§505.49. Reporting Requirements.
§133.50. Caregiver Designation.	§505.50. Caregiver Designation.
§133.51. In-Person Visitation During a Public Health Emergency or Disaster.	§505.51. In-Person Visitation During a Public Health Emergency or Disaster.
§133.52. Hospital-Owned or Hospital-Operated Freestanding Emergency Medical Care Facilities.	§505.52. Hospital-Owned or Hospital-Operated Freestanding Emergency Medical Care Facilities.
§133.53. Hospital Price Transparency Reporting and Enforcement.	§505.53. Hospital Price Transparency Reporting and Enforcement.
§133.54. Hospital at Home Program Application and Operational Requirements.	§505.54. Hospital at Home Program Application and Operational Requirements.
§133.55. Workplace Violence Prevention.	§505.55. Workplace Violence Prevention.
Subchapter D. Voluntary Agreements	Subchapter D. Voluntary Agreements
§133.61. Hospital Patient Transfer Agreements.	§505.61. Hospital Patient Transfer Agreements.

§133.62. Cooperative Agreements.	§505.62. Cooperative Agreements.
Subchapter E. Waiver Provisions	Subchapter E. Waiver Provisions
§133.81. Waiver Provisions.	§505.81. Waiver Provisions.
Subchapter F. Inspection And Investigation Procedures	Subchapter F. Inspection And Investigation Procedures
§133.101. Integrity of Inspections and Investigations.	§505.101. Integrity of Inspection and Investigation.
§133.102. Inspections.	§505.102. Inspections.
§133.103. Complaint Investigations.	§505.103. Complaint Investigations.
§133.104. Notice.	§505.104. Notice.
§133.105. Professional Conduct.	§505.105. Professional Conduct.
§133.106. Complaint Against an HHSC Representative.	§505.106. Complaint Against an HHSC Representative.
Subchapter G. Enforcement	Subchapter G. Enforcement
§133.121. Enforcement.	§505.121. Enforcement.
Subchapter H. Fire Prevention And Safety Requirements	Subchapter H. Fire Prevention And Safety Requirements
§133.141. Fire Prevention and Protection.	§505.141. Fire Prevention and Protection.
§133.142. General Safety.	§505.142. General Safety.
§133.143. Handling and Storage of Gases, Anesthetics, and Flammable Liquids.	§505.143. Handling and Storage of Gases, Anesthetics, and Flammable Liquids.
Subchapter I. Physical Plant And Construction Requirements	Subchapter I. Physical Plant And Construction Requirements
§133.161. Requirements for Buildings in Which Existing Licensed Hospitals Are Located.	§505.161. Requirements for Buildings in Which Existing Licensed Hospitals Are Located.
§133.162. New Construction Requirements.	§505.162. New Construction Requirements.
§133.163. Spatial Requirements for New Construction.	§505.163. Spatial Requirements for New Construction.
§133.164. Elevators, Escalators, and Conveyors.	§505.164. Elevators, Escalators, and Conveyors.
§133.165. Building with Multiple Occupancies.	§505.165. Building with Multiple Occupancies.
§133.166. Mobile, Transportable, and Relocatable Units.	§505.166. Mobile, Transportable, and Relocatable Units.
§133.167. Preparation, Submittal, Review and Approval of Plans, and Retention of Records.	§505.167. Preparation, Submittal, Review and Approval of Plans, and Retention of Records.
§133.168. Construction, Inspections, and Approval of Project.	§505.168. Construction, Inspections, and Approval of Project.
§133.169. Tables.	§505.169. Tables.

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 140, Health Professions Regulation, Subchapter I, Licensed Chemical Dependency Counselors, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 562, Licensed Chemical Dependency Counselors.

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 140, Subchapter I
TRD-202406367

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 140, Health Professions Regulation, Subchapter I, Licensed Chemical Dependency Counselors, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 562, Licensed Chemical Dependency Counselors.

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 140, Subchapter I
TRD-202406368

Figure: 25 TAC Chapter 140, Subchapter I

Current Rules Title 25. Health Services Part 1. Department of State Health Services Chapter 140. Health Professions Regulation Subchapter I. Licensed Chemical Dependency Counselors	Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 562. Licensed Chemical Dependency Counselors
§140.400. Definitions.	§562.1. Definitions.
§140.401. License Required.	§562.2. License Required.
§140.402. Scope of Practice.	§562.3. Scope of Practice.
§140.403. Fees.	§562.4. Fees.
§140.404. LCDC Licensure Application Standards and Counselor Intern Registration.	§562.5. LCDC Licensure Application Standards and Counselor Intern Registration.
§140.405. Requirements for Counselor Intern Registration.	§562.6. Requirements for Counselor Intern Registration.
§140.406. Standards for 270 Educational Hours.	§562.7. Standards for 270 Educational Hours.
§140.407. Practicum Standards.	§562.8. Practicum Standards.
§140.408. Requirements for LCDC Licensure.	§562.9. Requirements for LCDC Licensure.
§140.409. Standards for Supervised Work Experience.	§562.10. Standards for Supervised Work Experience.
§140.410. Clinical Training Institution (CTI) Registration.	§562.11. Clinical Training Institution (CTI) Registration.
§140.411. Certified Clinical Supervisor (CCS) Certification Requirements.	§562.12. Certified Clinical Supervisor (CCS) Certification Requirements.
§140.412. LCDC Licensure Examination.	§562.13. LCDC Licensure Examination.
§140.413. Counselor Intern Registration Expiration.	§562.14. Counselor Intern Registration Expiration.
§140.414. LCDC Licensure Through Reciprocity.	§562.15. LCDC Licensure Through Reciprocity.
§140.415. Issuing Licenses.	§562.16. Issuing Licenses.
§140.416. LCDC License Expiration, Renewal, and Continuing Education Requirements.	§562.17. LCDC License Expiration, Renewal, and Continuing Education Requirements.
§140.418. Continuing Education Standards.	§562.18. Continuing Education Standards.
§140.419. Inactive Status.	§562.19. Inactive Status.
§140.420. Peer Assistance Programs.	§562.20. Peer Assistance Programs.
§140.421. Standards for the Training and Supervision of Counselor Interns.	§562.21. Standards for the Training and Supervision of Counselor Interns.
§140.422. Direct Supervision of Interns.	§562.22. Direct Supervision of Interns.
§140.423. Professional and Ethical Standards for all License Holders.	§562.23. Professional and Ethical Standards for all License Holders.

§140.424. Standards for Private Practice.	§562.24. Standards for Private Practice.
§140.425. Complaint and Investigation Procedures.	§562.25. Complaint and Investigation Procedures.
§140.426. Disciplinary Actions.	§562.26. Disciplinary Actions.
§140.427. Administrative Penalties.	§562.27. Administrative Penalties.
§140.428. Informal Disposition.	§562.28. Informal Disposition.
§140.429. Voluntary Surrender of License, Certification, or Registration In Response to a Complaint.	§562.29. Voluntary Surrender of License, Certification, or Registration In Response to a Complaint.
§140.430. Procedures for Contested Cases.	§562.30. Procedures for Contested Cases.
§140.431. Criminal History Standards.	§562.31. Criminal History Standards.
§140.432. Request for Criminal History Evaluation Letter.	§562.32. Request for Criminal History Evaluation Letter.
§140.433. Licensing, Certification, or Registration of Military Service Members, Military Spouses, and Military Veterans.	§562.33. Licensing, Certification, or Registration of Military Service Members, Military Spouses, and Military Veterans.
§140.434. Prohibition related to Child Custody and Adoption Evaluations.	§562.34. Prohibition related to Child Custody and Adoption Evaluations.
§140.435. Miscellaneous Policies and Protocols.	§562.35. Miscellaneous Policies and Protocols.

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