

REVIEW OF AGENCY RULES

This section contains notices of state agency rule review as directed by the Texas Government Code, §2001.039. Included here are proposed rule review notices, which

invite public comment to specified rules under review; and adopted rule review notices, which summarize public comment received as part of the review. The complete text of an agency's rule being reviewed is available in the *Texas Administrative Code* on the Texas Secretary of State's website.

For questions about the content and subject matter of rules, please contact the state agency that is reviewing the rules. Questions about the website and printed copies of these notices may be directed to the *Texas Register* office.

Proposed Rule Reviews

Texas Appraiser Licensing and Certification Board

Title 22, Part 8

The Texas Appraiser Licensing and Certification Board (TALCB) files this notice of intention to review 22 TAC Chapter 153, Rules Relating to Provisions of the Texas Appraiser Licensing and Certification Act. This review is undertaken pursuant to Government Code, §2001.039.

During the review process, TALCB may determine whether a specific rule requires amendments to refine TALCB's legal and policy considerations; whether the rules reflect current TALCB procedures; that no changes to a rule as currently in effect are necessary; or that a rule is no longer valid or applicable. Rules may also be combined or reduced for simplification and clarity when feasible. Any proposed amendments or repeal of a rule or chapter as a result of the review will be published in the Proposed Rules section of the *Texas Register* and will be open for an additional 30-day public comment period before final adoption or repeal. Final consideration of this rules review is expected at the TALCB meeting in August 2025.

Any questions or comments pertaining to this notice of intention to review should be directed to Kathleen Santos, General Counsel, Texas Appraiser Licensing and Certification Board, P.O. Box 12188, Austin, Texas 78711-2188 or emailed to general.counsel@talcb.texas.gov within 30 days of publication.

TRD-202500712

Kathleen Santos

General Counsel

Texas Appraiser Licensing and Certification Board

Filed: February 25, 2025



Health and Human Services Commission

Title 26, Part 1

The Texas Health and Human Services Commission (HHSC) proposes to review and consider for re Adoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 902, Continuity of Services--Transferring Individuals from State Supported Living Centers to State Hospitals

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 902, Continuity of Services--Transferring Individuals from State Supported Living Centers to State Hospitals, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to hhsrulescoordinationoffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 902" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published but may be found in Title 26, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

TRD-202500666

Jessica Miller

Director, Rules Coordination Office

Health and Human Services Commission

Filed: February 21, 2025



Texas Department of Family and Protective Services

Title 40, Part 19

The Texas Department of Family and Protective Services (DFPS), files this notice of intent to review, in its entirety, the rules in 40 Texas Administrative Code, Title 40, Part 19, Chapter 700, Child Protective Services.

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. DFPS will review each rule to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current DFPS procedures.

Written comments on this notice may be submitted by mail to Office of General Counsel, Texas Department of Family and Protective Services, P.O. Box 149030, Austin, Texas 78714, or by email to Rules@dfps.texas.gov. Comments will be accepted until 5:00 p.m. of the 31st day following publication in the *Texas Register*. Include "Comments on Chapter 700 Rule Review" in the subject line of any comments submitted.

The text of the chapter being reviewed will not be published, but may be found in Title 40, Part 19, of the Texas Administrative Code on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

Should DFPS determine that amendments or repeals to these rules are warranted, a separate rulemaking process with opportunity for public comment will be initiated in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

TRD-202500736
Sanjuanita Maltos
Legal Rules Coordinator
Department of Family and Protective Services
Filed: February 26, 2025



The Texas Department of Family and Protective Services (DFPS), files this notice of intent to review, in its entirety, the rules in 40 Texas Administrative Code, Title 40, Part 19, Chapter 702, General Administration.

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. DFPS will review each rule to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current DFPS procedures.

Written comments on this notice may be submitted by mail to Office of General Counsel, Texas Department of Family and Protective Services, P.O. Box 149030, Austin, Texas 78714, or by email to Rules@dfps.texas.gov. Comments will be accepted until 5:00 p.m. of the 31st day following publication in the *Texas Register*. Include "Comments on Chapter 702 Rule Review" in the subject line of any comments submitted.

The text of the chapter being reviewed will not be published, but may be found in Title 40, Part 19, of the Texas Administrative Code on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

Should DFPS determine that amendments or repeals to these rules are warranted, a separate rulemaking process with opportunity for public comment will be initiated in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

TRD-202500735
Sanjuanita Maltos
Legal Rules Coordinator
Department of Family and Protective Services
Filed: February 26, 2025



The Texas Department of Family and Protective Services (DFPS), files this notice of intent to review, in its entirety, the rules in 40 Texas Administrative Code, Title 40, Part 19, Chapter 704, Prevention and Early Intervention Services.

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. DFPS will review each rule to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current DFPS procedures.

Written comments on this notice may be submitted by mail to Office of General Counsel, Texas Department of Family and Protective Services, P.O. Box 149030, Austin, Texas 78714, or by email to Rules@dfps.texas.gov. Comments will be accepted until 5:00 p.m.

of the 31st day following publication in the *Texas Register*. Include "Comments on Chapter 704 Rule Review" in the subject line of any comments submitted.

The text of the chapter being reviewed will not be published, but may be found in Title 40, Part 19, of the Texas Administrative Code on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

Should DFPS determine that amendments or repeals to these rules are warranted, a separate rulemaking process with opportunity for public comment will be initiated in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

TRD-202500734
Sanjuanita Maltos
Legal Rules Coordinator
Department of Family and Protective Services
Filed: February 26, 2025



The Texas Department of Family and Protective Services (DFPS), files this notice of intent to review, in its entirety, the rules in 40 Texas Administrative Code, Title 40, Part 19, Chapter 705, Adult Protective Services.

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. DFPS will review each rule to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current DFPS procedures.

Written comments on this notice may be submitted by mail to Office of General Counsel, Texas Department of Family and Protective Services, P.O. Box 149030, Austin, Texas 78714, or by email to Rules@dfps.texas.gov. Comments will be accepted until 5:00 p.m. of the 31st day following publication in the *Texas Register*. Include "Comments on Chapter 705 Rule Review" in the subject line of any comments submitted.

The text of the chapter being reviewed will not be published, but may be found in Title 40, Part 19, of the Texas Administrative Code on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

Should DFPS determine that amendments or repeals to these rules are warranted, a separate rulemaking process with opportunity for public comment will be initiated in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

TRD-202500729
Sanjuanita Maltos
Legal Rules Coordinator
Department of Family and Protective Services
Filed: February 26, 2025



The Texas Department of Family and Protective Services (DFPS), files this notice of intent to review, in its entirety, the rules in 40 Texas Administrative Code, Title 40, Part 19, Chapter 707, Child Protective Investigations.

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule con-

tinue to exist. DFPS will review each rule to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current DFPS procedures.

Written comments on this notice may be submitted by mail to Office of General Counsel, Texas Department of Family and Protective Services, P.O. Box 149030, Austin, Texas 78714, or by email to Rules@dfps.texas.gov. Comments will be accepted until 5:00 p.m. of the 31st day following publication in the *Texas Register*. Include "Comments on Chapter 707 Rule Review" in the subject line of any comments submitted.

The text of the chapter being reviewed will not be published, but may be found in Title 40, Part 19, of the Texas Administrative Code on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

Should DFPS determine that amendments or repeals to these rules are warranted, a separate rulemaking process with opportunity for public comment will be initiated in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

TRD-202500730
Sanjuanita Maltos
Legal Rules Coordinator
Department of Family and Protective Services
Filed: February 26, 2025



The Texas Department of Family and Protective Services (DFPS), files this notice of intent to review, in its entirety, the rules in 40 Texas Administrative Code, Title 40, Part 19, Chapter 730, Legal Services.

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. DFPS will review each rule to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current DFPS procedures.

Written comments on this notice may be submitted by mail to Office of General Counsel, Texas Department of Family and Protective Services, P.O. Box 149030, Austin, Texas 78714, or by email to Rules@dfps.texas.gov. Comments will be accepted until 5:00 p.m. of the 31st day following publication in the *Texas Register*. Include "Comments on Chapter 730 Rule Review" in the subject line of any comments submitted.

The text of the chapter being reviewed will not be published, but may be found in Title 40, Part 19, of the Texas Administrative Code on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

Should DFPS determine that amendments or repeals to these rules are warranted, a separate rulemaking process with opportunity for public comment will be initiated in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

TRD-202500731
Sanjuanita Maltos
Legal Rules Coordinator
Department of Family and Protective Services
Filed: February 26, 2025



The Texas Department of Family and Protective Services (DFPS), files this notice of intent to review, in its entirety, the rules in 40 Texas Administrative Code, Title 40, Part 19, Chapter 732, Contracted Services.

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. DFPS will review each rule to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current DFPS procedures.

Written comments on this notice may be submitted by mail to Office of General Counsel, Texas Department of Family and Protective Services, P.O. Box 149030, Austin, Texas 78714, or by email to Rules@dfps.texas.gov. Comments will be accepted until 5:00 p.m. of the 31st day following publication in the *Texas Register*. Include "Comments on Chapter 732 Rule Review" in the subject line of any comments submitted.

The text of the chapter being reviewed will not be published, but may be found in Title 40, Part 19, of the Texas Administrative Code on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

Should DFPS determine that amendments or repeals to these rules are warranted, a separate rulemaking process with opportunity for public comment will be initiated in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

TRD-202500732
Sanjuanita Maltos
Legal Rules Coordinator
Department of Family and Protective Services
Filed: February 26, 2025



The Texas Department of Family and Protective Services (DFPS), files this notice of intent to review, in its entirety, the rules in 40 Texas Administrative Code, Title 40, Part 19, Chapter 735, Independent Court-Ordered Adoption Evaluations.

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. DFPS will review each rule to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current DFPS procedures.

Written comments on this notice may be submitted by mail to Office of General Counsel, Texas Department of Family and Protective Services, P.O. Box 149030, Austin, Texas 78714, or by email to Rules@dfps.texas.gov. Comments will be accepted until 5:00 p.m. of the 31st day following publication in the *Texas Register*. Include "Comments on Chapter 735 Rule Review" in the subject line of any comments submitted.

The text of the chapter being reviewed will not be published, but may be found in Title 40, Part 19, of the Texas Administrative Code on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

Should DFPS determine that amendments or repeals to these rules are warranted, a separate rulemaking process with opportunity for public comment will be initiated in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

TRD-202500733

Sanjuanita Maltos
Legal Rules Coordinator
Department of Family and Protective Services
Filed: February 26, 2025

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Adopted Rule Reviews

State Board of Dental Examiners

Title 22, Part 5

The Texas State Board of Dental Examiners (Board) adopts the review of the chapters below in Title 22, Part 5, of the Texas Administrative Code (TAC):

Chapter 108, Professional Conduct; and

Chapter 112, Visual Dental Health Inspections.

Notice of the review of these chapters was published in the December 6, 2024, issue of the *Texas Register* (49 TexReg 10009). No comments were received in response to this notice.

The Board has reviewed Chapters 108 and 112 in accordance with Texas Government Code §2001.039, which requires state agencies to

assess, every four years, whether the original reasons for adopting a rule continue to exist.

The Board determined that the initial reasons for adopting rules in the chapters continue to exist and readopts Chapters 108 and 112 except for:

§108.8, Records of the Dentist; and

§108.52, Names and Responsibilities. The Board finds the original reasons for adopting these rules continue to exist but with amendments needed. The amendments identified by the Board to Chapter 108 will be proposed in a future issue of the *Texas Register*.

This concludes the Board's review of 22 TAC Chapters 108 and 112 as required by the Texas Government Code §2001.039.

TRD-202500672

Lauren Studdard

General Counsel

State Board of Dental Examiners

Filed: February 21, 2025

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