

# 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.

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## 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. Certain rules in Texas Administrative Code, Title 25, Part 1, Chapter 417, Agency and Facility Responsibilities, Subchapter A, Standard Operating Procedures, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 910, State Facility Business Operations, Subchapter D, Personal Funds of Individuals Served in State Hospitals; Subchapter E, Personal Property of Individuals Served in State Hospitals; and Subchapter F, Fees for Guests of Individuals Served by State Facilities.

The rules will be transferred in the Texas Administrative Code effective April 11, 2025.

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 417, Subchapter A

TRD-202500777

## 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. Certain rules in Texas Administrative Code, Title 25, Part 1, Chapter 417, Agency and Facility Responsibilities, Subchapter A, Standard Operating Procedures, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 910, State Facility Business Operations, Subchapter D, Personal Funds of Individuals Served in State Hospitals; Subchapter E, Personal Property of Individuals Served in State Hospitals; and Subchapter F, Fees for Guests of Individuals Served by State Facilities.

The rules will be transferred in the Texas Administrative Code effective April 11, 2025.

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 417, Subchapter A

TRD-202500778

Figure: 25 TAC Chapter 417, Subchapter A

<b>Current Rules</b> <b>Title 25. Health Services</b> <b>Part 1. Department of State Health Services</b> <b>Chapter 417. Agency and Facility Responsibilities</b>	<b>Move to</b> <b>Title 26. Health and Human Services</b> <b>Part 1. Health and Human Services Commission</b> <b>Chapter 910. State Facility Business Operations</b>
<b>Subchapter A. Standard Operating Procedures</b>	<b>Subchapter D. Personal Funds of Individuals Served in State Hospitals</b>
§417.4. Definitions.	§910.151. Definitions.
§417.28. Investing Department Funds.	§910.153. Investing Funds.
§417.39. Protecting an Individual's Personal Funds.	§910.155. Protecting an Individual's Personal Funds.
§417.40. Notice Regarding Personal Funds.	§910.157. Notice Regarding Personal Funds.
§417.41. Determining Management of Personal Funds.	§910.159. Determining Management of Personal Funds.
§417.42. SMHF-Managed Personal Funds.	§910.161. State Hospital Managed Personal Funds.
§417.43. Requests for Personal Funds from Trust Fund Accounts.	§910.163. Requests for Personal Funds from Trust Fund Accounts.
§417.44. Returning Individual's Personal Funds on Discharge.	§910.165. Returning an Individual's Personal Funds on Discharge.
§417.45. Unclaimed Personal Funds and Property.	§910.167. Unclaimed Personal Funds and Property.
§417.46. Contributions.	§910.169. Contributions.
<b>Subchapter A. Standard Operating Procedures</b>	<b>Subchapter E. Personal Property of Individuals Served in State Hospitals</b>
§417.38. Individual's Personal Property.	§910.200. An Individual's Personal Property.
<b>Subchapter A. Standard Operating Procedures</b>	<b>Subchapter F. Fees for Guests of Individuals Served by State Facilities</b>
§417.15. Family Members and Guests of an Individual Receiving Services.	§910.251. Fees for Guests of Individuals Served by State Facilities for Overnight Accommodations.

## 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. Certain DSHS rules in Texas Administrative Code, Title 25, Part 1, Chapter 417, Agency and Facility Responsibilities, Subchapter K, Abuse, Neglect, and Exploitation in TDMHMR Facilities, that are related to these transferred functions, are being transferred to

HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 926, State Facility Requirements to Enhance the Safety of Individuals Receiving Services, Subchapter D, Abuse, Neglect, and Exploitation at State Hospitals. Subchapter C in Chapter 926 is also being renamed from Abuse, Neglect, and Exploitation at State Facilities to Abuse, Neglect, and Exploitation at State Supported Living Centers.

The rules will be transferred in the Texas Administrative Code effective April 11, 2025.

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 417, Subchapter K

TRD-202500775



## 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. Certain DSHS rules in Texas Administrative Code, Title 25, Part 1, Chapter 417, Agency and Facility Responsibilities, Subchapter K, Abuse, Neglect, and Exploitation in TDMHMR Facilities, that are related to these transferred functions, are being transferred to

HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 926, State Facility Requirements to Enhance the Safety of Individuals Receiving Services, Subchapter D, Abuse, Neglect, and Exploitation at State Hospitals. Subchapter C in Chapter 926 is also being renamed from Abuse, Neglect, and Exploitation at State Facilities to Abuse, Neglect, and Exploitation at State Supported Living Centers.

The rules will be transferred in the Texas Administrative Code effective April 11, 2025.

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 417, Subchapter K

TRD-202500776

Figure: 25 TAC Chapter 417, Subchapter K

<p><b>Current Rules</b>  <b>Title 26. Health and Human Services</b>  <b>Part 1. Texas Health and Human Services Commission</b>  <b>Chapter 926. State Facility Requirements to Enhance the Safety of Individuals Receiving Services</b>  <b>Subchapter C. Abuse, Neglect, and Exploitation at State Facilities</b></p>	<p><b>Move to</b>  <b>Title 26. Health and Human Services</b>  <b>Part 1. Texas Health and Human Services Commission</b>  <b>Chapter 926. State Facility Requirements to Enhance the Safety of Individuals Receiving Services</b>  <b>Subchapter C. Abuse, Neglect, and Exploitation at State Supported Living Centers</b></p>
<p><b>Current Rules</b>  <b>Title 25. Health Services</b>  <b>Part 1. Department of State Health Services</b>  <b>Chapter 417. Agency and Facility Responsibilities</b>  <b>Subchapter K. Abuse, Neglect, and Exploitation in TDMHMR Facilities</b></p>	<p><b>Move to</b>  <b>Title 26. Health and Human Services</b>  <b>Part 1. Texas Health and Human Services Commission</b>  <b>Chapter 926. State Facility Requirements to Enhance the Safety of Individuals Receiving Services</b>  <b>Subchapter D. Abuse, Neglect, and Exploitation at State Hospitals</b></p>
§417.501. Purpose.	§926.151. Purpose.
§417.502. Application.	§926.153. Application.
§417.503. Definitions.	§926.155. Definitions.
§417.505. Reporting Responsibilities of All TDMHMR Employees, Agents, and Contractors: Reports to Texas Department of Protective and Regulatory Services (TDPRS).	§926.157. Reporting Responsibilities of All TDMHMR Employees, Agents, and Contractors: Reports to Texas Department of Protective and Regulatory Services (TDPRS).
§417.507. Prohibition Against Retaliatory Action.	§926.159. Prohibition Against Retaliatory Action.
§417.508. Responsibilities of the Head of the Facility.	§926.161. Responsibilities of the Head of the Facility.
§417.510. Completion of the Investigation.	§926.163. Completion of the Investigation.
§417.511. Confidentiality of Investigative Process and Report.	§926.165. Confidentiality of Investigative Process and Report.
§417.512. Classifications and Disciplinary Actions.	§926.167. Classifications and Disciplinary Actions.
§417.513. Contractors.	§926.169. Contractors.

