

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 441, General Provisions and Title 25, Part 1, Chapter 448, Standard of Care, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 564, Chemical Dependency Treatment Facilities.

The rules will be transferred in the Texas Administrative Code effective April 30, 2024.

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 441 and Chapter 448

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Health and Human Services Commission

Rule Transfer

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The following table outlines the rule transfer:

Figure: 25 TAC Chapter 441 and Chapter 448

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Figure: 25 TAC Chapter 441 and Chapter 448

Current Rules Title 25. Health Services Part 1. Department of State Health Services Chapter 441. General Provisions	Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 564. Chemical Dependency Treatment Facilities
Subchapter A. Definitions	Subchapter A. General Provisions
§441.101. Definitions.	§564.1. Definitions.
Current Rules Title 25. Health Services Part 1. Department of State Health Services Chapter 448. Standard of Care	Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 564. Chemical Dependency Treatment Facilities
Subchapter A. Definitions	Subchapter A. General Provisions
§448.102. Purpose.	§564.2. Purpose.
§448.103. Scope of Rule.	§564.3. Scope of Rule.
Subchapter B. Standard of Care Applicable to All Providers	Subchapter B. Standard of Care Applicable to All Providers
§448.201. General Standard.	§564.4. General Standard.
§448.202. Scope of Practice.	§564.5. Scope of Practice.
§448.203. Competence and Due Care.	§564.6. Competence and Due Care.
§448.204. Appropriate Services.	§564.7. Appropriate Services.
§448.205. Accuracy.	§564.8. Accuracy.
§448.206. Documentation.	§564.9. Documentation.
§448.207. Discrimination.	§564.10. Discrimination.
§448.208. Access to Services.	§564.11. Access to Services.
§448.209. Location.	§564.12. Location.
§448.210. Confidentiality.	§564.13. Confidentiality.
§448.211. Environment.	§564.14. Environment.
§448.212. Communications.	§564.15. Communications.
§448.213. Exploitation.	§564.16. Exploitation.
§448.214. Duty to Report.	§564.17. Duty to Report.
§448.215. Impaired Providers.	§564.18. Impaired Providers.
§448.216. Ethics.	§564.19. Ethics.
§448.217. Specific Acts Prohibited.	§564.20. Specific Acts Prohibited.
§448.218. Standards of Conduct.	§564.21. Standards of Conduct.
Subchapter D. Facility Licensure Information	Subchapter D. Facility Licensure Information
§448.401. License Required.	§564.401. License Required.
§448.402. Variances.	§564.402. Variances.
§448.403. New Licensure Application.	§564.403. New Licensure Application.
§448.404. Licensure Renewal.	§564.404. Licensure Renewal.

§448.405. Changes in Status.	§564.405. Changes in Status.
§448.406. Inactive Status and Closure.	§564.406. Inactive Status and Closure.
§448.407. Licensure Inspection.	§564.407. Licensure Inspection.
§448.408. Licensure Fees.	§564.408. Licensure Fees.
§448.409. Action Against a License.	§564.409. Action Against a License.
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§448.501. Facility Organization.	§564.501. Facility Organization.
§448.502. Operational Plan, Policies and Procedures.	§564.502. Operational Plan, Policies and Procedures.
§448.503. Reporting Measures.	§564.503. Reporting Measures.
§448.504. Quality Management.	§564.504. Quality Management.
§448.505. General Environment.	§564.505. General Environment.
§448.506. Required Postings.	§564.506. Required Postings.
§448.507. General Documentation Requirements.	§564.507. General Documentation Requirements.
§448.508. Client Records.	§564.508. Client Records.
§448.509. Incident Reporting.	§564.509. Incident Reporting.
§448.510. Client Transportation.	§564.510. Client Transportation.
Subchapter F. Personnel Practices and Development	Subchapter F. Personnel Practices and Development
§448.601. Hiring Practices.	§564.601. Hiring Practices.
§448.602. Students and Volunteers.	§564.602. Students and Volunteers.
§448.603. Training.	§564.603. Training.
Subchapter G. Client Rights	Subchapter G. Client Rights
§448.701. Client Bill of Rights.	§564.701. Client Bill of Rights.
§448.702. Client Grievances.	§564.702. Client Grievances.
§448.703. Abuse, Neglect, and Exploitation.	§564.703. Abuse, Neglect, and Exploitation.
§448.704. Program Rules.	§564.704. Program Rules.
§448.705. Client Labor and Interactions.	§564.705. Client Labor and Interactions.
§448.706. Restraint and Seclusion.	§564.706. Restraint and Seclusion.
§448.707. Responding to Emergencies.	§564.707. Responding to Emergencies.
§448.708. Searches.	§564.708. Searches.
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§448.802. Admission Authorization and Consent to Treatment.	§564.802. Admission Authorization and Consent to Treatment.
§448.803. Assessment.	§564.803. Assessment.
§448.804. Treatment Planning, Implementation and Review.	§564.804. Treatment Planning, Implementation and Review.
§448.805. Discharge.	§564.805. Discharge.
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§448.902. Requirements Applicable to Detoxification Services.	§564.902. Requirements Applicable to Detoxification Services.

§448.903. Requirements Applicable to Residential Services.	§564.903. Requirements Applicable to Residential Services.
§448.904. Requirements for Outpatient Treatment Programs.	§564.904. Requirements for Outpatient Treatment Programs.
§448.905. Additional Requirements for Adolescent Programs.	§564.905. Additional Requirements for Adolescent Programs.
§448.906. Access to Services for Co-Occurring Psychiatric and Substance Use Disorders (COPSD) Clients.	§564.906. Access to Services for Co-Occurring Psychiatric and Substance Use Disorders (COPSD) Clients.
§448.907. Additional Requirements for COPSD Programs.	§564.907. Additional Requirements for COPSD Programs.
§448.908. Specialty Competencies of Staff Providing Services to Clients with COPSD.	§564.908. Specialty Competencies of Staff Providing Services to Clients with COPSD.
§448.909. Treatment Planning of Services to Clients with COPSD.	§564.909. Treatment Planning of Services to Clients with COPSD.
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§448.911. Treatment Services Provided by Electronic Means.	§564.911. Treatment Services Provided by Electronic Means.
§448.912. Miscellaneous Policies and Protocols.	§564.912. Miscellaneous Policies and Protocols.
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§448.1002. Medication Storage.	§564.1002. Medication Storage.
§448.1003. Medication Inventory and Disposal.	§564.1003. Medication Inventory and Disposal.
§448.1004. Administration of Medication.	§564.1004. Administration of Medication.
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§448.1102. Meals in Residential Programs.	§564.1102. Meals in Residential Programs.
§448.1103. Meals Prepared by Clients.	§564.1103. Meals Prepared by Clients.
§448.1104. Meals Provided by a Food Service.	§564.1104. Meals Provided by a Food Service.
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§448.1505. Advertisement.	§564.1505. Advertisement.
§448.1506. Revocation of Exemption.	§564.1506. Revocation of Exemption.

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