

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 Aging and Disability 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 3, Responsibilities of State Facilities, Subchapters A through C are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 926, State Facility Requirements to Enhance the Safety of Individuals Receiving Services, Subchapters B and C.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 3, Subchapters A - C

TRD-202402766

Texas 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 3, Responsibilities of State Facilities, Subchapters A through C are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 926, State Facility Requirements to Enhance the Safety of Individuals Receiving Services, Subchapters B and C.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 3, Subchapters A - C

TRD-202402767

Figure: 40 TAC Chapter 3, Subchapters A - C

<p>As a result of the transfer of the 40 TAC 3, Subchapters A, B, and C, the existing rules in Title 26, Chapter 926 will be included in Subchapter A, Training Requirements for State Facility Staff, as follows.</p>	
<p>Current Rules Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 926. Training for Facility Staff</p>	<p>Move to Title 26. Health and Human Services Part 1. Texas Health and Human Services Commission Chapter 926. State Facility Requirements to Enhance the Safety of Individuals Receiving Services</p>
	<p>Subchapter A. Training Requirements for State Facility Staff</p>
§926.1. Application.	§926.1. Application.
§926.2. Definitions.	§926.2. Definitions.
§926.3. Training for New Employees.	§926.3. Training for New Employees.
§926.4. Additional Training for Employees Who Provide Direct Care to Individuals.	§926.4. Additional Training for Employees Who Provide Direct Care to Individuals.
§926.5. State Hospital Refresher Training.	§926.5. State Hospital Refresher Training.
§926.6. State Supported Living Center (SSLC) Refresher Training.	§926.6. State Supported Living Center Refresher Training.
<p>Current Rules Title 40. Social Services and Assistance Part 1. Department of Aging and Disability Services Chapter 3. Responsibilities of State Facilities</p>	<p>Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 926. State Facility Requirements to Enhance the Safety of Individuals Receiving Services</p>
<p>Subchapter A. Definitions</p>	<p>Subchapter B. Criminal History Checks And Registry Clearances at State Facilities</p>
§3.101. Definitions.	§926.51. Definitions.
<p>Subchapter B. Criminal History Checks And Registry Clearances</p>	<p>Subchapter B. Criminal History Checks And Registry Clearances at State Facilities</p>
§3.201. Pre-employment or Pre-assignment Checks and Clearances.	§926.53. Pre-employment or Pre-assignment Checks and Clearances.
§3.202. Emergency Employment Pending Criminal History Check.	§926.55. Emergency Employment Pending Criminal History Check.
§3.203. Notification to Applicants.	§926.57. Notification to Applicants.
§3.204. Self-Reporting and Subsequent Criminal History Checks and Registry Clearances.	§926.61. Self-Reporting and Subsequent Criminal History Checks and Registry Clearances.
§3.205. Unpaid Professional Interns.	§926.63. Unpaid Professional Interns.
<p>Subchapter C. Abuse, Neglect, And Exploitation</p>	<p>Subchapter C. Abuse, Neglect, And Exploitation at State Facilities</p>
§3.301. Prohibition of Abuse, Neglect, and Exploitation.	§926.103. Prohibition of Abuse, Neglect, and Exploitation.

§3.302. Reporting Abuse, Neglect, and Exploitation to DFPS.	§926.105. Reporting Abuse, Neglect, and Exploitation.
§3.303. Prohibition Against Retaliation.	§926.107. Prohibition Against Retaliation.
§3.304. During an Investigation.	§926.109. During an Investigation.
§3.305. Completion of an Investigation.	§926.111. Completion of an Investigation.
§3.306. Contractors.	§910.113. Contractors.

Department of Aging and Disability 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 3, Responsibilities of State Facilities, Subchapters F and H are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 967, Client Care of Individuals Receiving Services at State Supported Living Centers, Subchapters B and C.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 3, Subchapters F and H

TRD-202402770

Texas 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 3, Responsibilities of State Facilities, Subchapters F and H are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 967, Client Care of Individuals Receiving Services at State Supported Living Centers, Subchapters B and C.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 3, Subchapters F and H

TRD-202402771

Figure: 40 TAC Chapter 3, Subchapters F and H

<p>As a result of the transfer of the 40 TAC 3, Subchapters F and H, the existing rule in Title 26, Chapter 967 will be included in Subchapter A, State Supported Living Center Independent Mortality Review, as follows.</p>	
<p>Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 967. State Supported Living Center Independent Mortality Review</p>	<p>Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 967. Client Care of Individuals Receiving Services at State Supported Living Centers</p>
	<p>Subchapter A. State Supported Living Center Independent Mortality Review</p>
§967.1. Independent Mortality Review.	§967.1. Independent Mortality Review.
<p>Current Rules Title 40. Social Services and Assistance Part 1. Department of Aging and Disability Services Chapter 3. Responsibilities of State Facilities</p>	<p>Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 967. Client Care of Individuals Receiving Services at State Supported Living Centers</p>
<p>Subchapter F. Restraints</p>	<p>Subchapter B. Use of Restraints in State Supported Living Centers</p>
§3.601. General Provisions.	§967.27. General Provisions.
§3.602. Mechanical Devices.	§967.29. Mechanical Devices.
§3.603. Evaluation and Assessment.	§967.31. Evaluation and Assessment.
§3.604. Imminent Harm Resulting from a Behavioral Crisis.	§967.33. Imminent Harm Resulting from a Behavioral Crisis.
§3.605. Imminent Harm Resulting from a Medical or Dental Procedure.	§967.35. Imminent Harm Resulting from a Medical or Dental Procedure.
§3.606. Imminent Harm Resulting from Documented Self-Injurious Behavior.	§967.37. Imminent Harm Resulting from Documented Self-Injurious Behavior.
§3.607. Release.	§967.39. Release.
§3.608. Reporting, Tracking, and Documentation.	§965.41. Reporting, Tracking, and Documentation.
<p>Subchapter H. Consent Or Authorization For Administration Of Psychotropic Medication</p>	<p>Subchapter C. Consent Or Authorization For The Administration Of Psychotropic Medication At State Supported Living Centers</p>
§3.801. Legally Adequate Consent or Authorization for Non-Emergency Administration of Psychotropic Medication.	§967.77. Legally Adequate Consent or Authorization for Non-Emergency Administration of Psychotropic Medication.
§3.802. Administration of Psychotropic Medication during a Medication-Related Emergency.	§967.79. Administration of Psychotropic Medication during a Medication-Related Emergency.

§3.803. Refusal of Psychotropic Medication.	§967.81. Refusal of Psychotropic Medication.
§3.804. Order Authorizing Administration of Psychotropic Medication.	§967.83. Order Authorizing Administration of Psychotropic Medication.
§3.805. Effect of Order.	§967.85. Effect of Order.

Department of Aging and Disability 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. Certain rules in the former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 7, DADS Administrative Responsibilities, Subchapter A, Standard Operating Procedures are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 910, State Facility Business Operations and Chapter 930, Additional Rights of Individuals Receiving Services at State Facilities, Subchapter B, Personal Property of an Individual Receiving Services at a State Facility.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 7, Subchapter A

TRD-202402764

Texas 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. Certain rules in the former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 7, DADS Administrative Responsibilities, Subchapter A, Standard Operating Procedures are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 910, State Facility Business Operations and Chapter 930, Additional Rights of Individuals Receiving Services at State Facilities, Subchapter B, Personal Property of an Individual Receiving Services at a State Facility.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 7, Subchapter A

TRD-202402765

Figure: 40 TAC Chapter 7, Subchapter A

<p>As a result of the transfer of the 40 TAC 7, Subchapter A, the existing rules in Title 26, Chapter 910 will be included in Subchapter A, Charges for Services in State Facilities, as follows.</p>	
<p>Current Rules Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 910. Charges for Services in State Facilities</p>	<p>Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 910. State Facility Business Operations</p>
	<p>Subchapter A. Charges for Services in State Facilities</p>
§910.1. Purpose.	§910.1. Purpose.
§910.2. Application.	§910.2. Application.
§910.3. Definitions.	§910.3. Definitions.
§910.4. Fee Assessment and Notification of Charges.	§910.4. Fee Assessment and Notification of Charges.
§910.5. State Hospital Accruing Charges.	§910.5. State Hospital Accruing Charges.
§910.6. State Supported Living Center Accruing Charges.	§910.6. State Supported Living Center Accruing Charges.
§910.7. Rate Review Process at State Hospitals.	§910.7. Rate Review Process at State Hospitals.
§910.8. Appeal Process.	§910.8. Appeal Process.
§910.9. Filing Notice of Lien.	§910.9. Filing Notice of Lien.
§910.10. Taxable Income of the Parents.	§910.10. Taxable Income of the Parents.
<p>Current Rules Title 40. Social Services and Assistance Part 1. Department of Aging and Disability Services Chapter 7. DADS Administrative Responsibilities</p>	<p>Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 910. State Facility Business Operations</p>
<p>Subchapter A. Standard Operating Procedures</p>	<p>Subchapter B. State Facility Financial Responsibilities</p>
§7.3. Definitions.	§910.51. Definitions.
§7.27. Depositing Department Funds.	§910.53. Depositing Department Funds.
§7.28. Investing Department Funds.	§910.55. Investing Department Funds.
§7.29. Benefit Funds: Use and Control.	§910.57. Benefit Funds: Use and Control.
<p>Subchapter A. Standard Operating Procedures</p>	<p>Subchapter C. State Facility Property</p>
§7.7. Inscription on State Vehicles.	§910.103. Inscription on State Facility Vehicles.
§7.14. Non-Commercial Groups.	§910.105. Non-Commercial Groups at a State Facility.
§7.15. Family Members and Guests of an Individual Receiving Services.	§910.107. Overnight Accommodations for Guests of an Individual Receiving Services at a State Facility.

<p>Current Rules Title 40. Social Services and Assistance Part 1. Department of Aging and Disability Services Chapter 7. DADS Administrative Responsibilities Subchapter A. Standard Operating Procedures</p>	<p>Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 930. Additional Rights of Individuals Receiving Services at State Facilities Subchapter B. Personal Property of an Individual Receiving Services at a State Facility</p>
<p>§7.38. Individual's Personal Property.</p>	<p>§930.53. Individual's Personal Property.</p>

Department of Aging and Disability 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. Certain rules in the former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 7, DADS Administrative Responsibilities, Subchapter D, Permanent Improvements Donated by Individuals or Community Groups are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 901 Volunteer and Community Engagement at a State Facility, Subchapter C, Donating Permanent Improvements to a State Facility.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 7, Subchapter D

TRD-202402762

Texas 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. Certain rules in the former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 7, DADS Administrative Responsibilities, Subchapter D, Permanent Improvements Donated by Individuals or Community Groups are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 901 Volunteer and Community Engagement at a State Facility, Subchapter C, Donating Permanent Improvements to a State Facility.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 7, Subchapter D

TRD-202402763

Figure: 40 TAC Chapter 7, Subchapter D

<p>As a result of the transfer of the 40 TAC 7, Subchapter D, the existing rules in Title 26, Chapter 901 will be included in Subchapter A, Volunteer and Community Engagement, as follows.</p>	
<p>Current Rules Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 901. Volunteer and Community Engagement</p>	<p>Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 901. Volunteer and Community Engagement at a State Facility</p>
	<p>Subchapter A. Volunteer and Community Engagement</p>
§901.1. Application.	§901.1. Application.
§901.2. Definitions.	§901.2. Definitions.
§901.3. Limitations on Donations.	§901.3. Limitations on Donations.
§901.4. Volunteer Services Councils.	§901.4. Volunteer Services Councils.
<p>Current Rules Title 40. Social Services and Assistance Part 1. Department of Aging and Disability Services Chapter 7. DADS Administrative Responsibilities Subchapter D. Permanent Improvements Donated by Individuals or Community Groups</p>	<p>Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 901. Volunteer and Community Engagement at a State Facility Subchapter C. Donating Permanent Improvements to a State Facility</p>
§7.151. Purpose.	§901.100. Purpose.
§7.152. Application.	§901.102. Application.
§7.153. Definitions.	§901.104. Definitions.
§7.154. Permanent Improvement Process.	§901.106. Permanent Improvement Process.
§7.155. Permanent Improvement Approval.	§901.108. Permanent Improvement Approval.
§7.156. Responsibilities of the VSC Board, VSC Chair, and PI Committee.	§901.110. Responsibilities of the Volunteer Services Councils (VSCs) Board, VSC Chair, and Permanent Improvement Committee.
§7.157. Dedicated Construction Account Requirements.	§901.112. Dedicated Construction Account Requirements.
§7.158. Accepting an Improvement.	§901.114. Accepting an Improvement.

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Department of Aging and Disability 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b),

specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 40, Use of General Revenue for Services Exceeding the Individual Cost Limit of a Waiver Program are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 285, Use of General Revenue for Services Exceeding the Individual Cost Limit of a Waiver Program.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 40

TRD-202402758



Texas 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b),

Figure: 40 TAC Chapter 40

<p>Current Rules Title 40. Social Services and Assistance Part 1. Department of Aging and Disability Services Chapter 40. Use of General Revenue for Services Exceeding the Individual Cost Limit of a Waiver Program</p>	<p>Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 285. Use of General Revenue for Services Exceeding the Individual Cost Limit of a Waiver Program</p>
<p>§40.1. Use of General Revenue for Services Exceeding the Individual Cost Limit of a Waiver Program.</p>	<p>§285.1. Use of General Revenue for Services Exceeding the Individual Cost Limit of a Waiver Program.</p>

Department of Aging and Disability 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 60, Contracting to Provide Programs of All-Inclusive Care for the Elderly (PACE) are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 270, Contracting to Provide Programs of All-Inclusive Care for the Elderly (PACE).

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 60

TRD-202402774

specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 40, Use of General Revenue for Services Exceeding the Individual Cost Limit of a Waiver Program are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 285, Use of General Revenue for Services Exceeding the Individual Cost Limit of a Waiver Program.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 40

TRD-202402759

Texas 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 60, Contracting to Provide Programs of All-Inclusive Care for the Elderly (PACE) are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 270, Contracting to Provide Programs of All-Inclusive Care for the Elderly (PACE).

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 60

TRD-202402775

Figure: 40 TAC Chapter 60

Current Rules	Move to
Title 40. Social Services and Assistance	Title 26. Health and Human Services
Part 1. Department of Aging and Disability Services	Part 1. Health and Human Services Commission
Chapter 60. Contracting to Provide Programs of All-Inclusive Care for the Elderly (PACE)	Chapter 270. Contracting to Provide Programs of All-Inclusive Care for the Elderly (PACE)
§60.2. Purpose.	§270.2. Purpose.
§60.4. Introduction.	§270.4. Introduction.
§60.6. Definitions.	§270.6. Definitions.
§60.8. Contracting Requirements.	§270.8. Contracting Requirements.
§60.10. Interest List.	§270.10. Interest List.
§60.12. Client Eligibility Criteria.	§270.12. Client Eligibility Criteria.
§60.14. Living Arrangements.	§270.14. Living Arrangements.
§60.16. Medical Necessity Assessments.	§270.16. Medical Necessity Assessments.
§60.18. Program Benefits.	§270.18. Program Benefits.
§60.20. Right to Appeal.	§270.20. Right to Appeal.
§60.22. Medicaid Capitation Payments.	§270.22. Medicaid Capitation Payments.
§60.24. Enrollment and Disenrollment.	§270.24. Enrollment and Disenrollment.
§60.26. Data Collection and Reporting.	§270.26. Data Collection and Reporting.

Department of Aging and Disability 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 86, National Senior Services Corps Program are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 214, National Senior Services Corps Program.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 86

TRD-202402748

Texas 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 86, National Senior Services Corps Program are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 214, National Senior Services Corps Program.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 86

TRD-202402749

Figure: 40 TAC Chapter 86

<p>Current Rules Title 40. Social Services and Assistance Part 1. Department of Aging and Disability Services Chapter 86. National Senior Services Corps Program</p>	<p>Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 214. National Senior Services Corps Program</p>
<p>§86.1. Guidelines to Distribute Funds to Entities Operating a National Senior Services Corps Program.</p>	<p>§214.1. Guidelines to Distribute Funds to Entities Operating a National Senior Services Corps Program.</p>

Department of Aging and Disability 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 98, Day Activity and Health Services Requirements, Subchapter H, Day Activity and Health Services (DAHS) Contractual Requirements are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 211, Day Activity and Health Services (DAHS) Contractual Requirements.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 98, Subchapter H
 TRD-202402772

Texas 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, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rules in Texas Administrative Code, Title 40, Part 1, Chapter 98, Day Activity and Health Services Requirements, Subchapter H, Day Activity and Health Services (DAHS) Contractual Requirements are being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 211, Day Activity and Health Services (DAHS) Contractual Requirements.

The rules will be transferred in the Texas Administrative Code effective July 31, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 98, Subchapter H
 TRD-202402773

Figure: 40 TAC Chapter 98, Subchapter H

Current Rules Title 40. Social Services and Assistance Part 1. Department of Aging and Disability Services Chapter 98. Day Activity and Health Services Requirements Subchapter H. Day Activity and Health Services (DAHS) Contractual Requirements	Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 211. Day Activity and Health Services (DAHS) Contractual Requirements
§98.200. Applicability.	§211.200. Applicability.
§98.201. Eligibility Requirements for Participation.	§211.201. Eligibility Requirements for Participation.
§98.202. Program Overview.	§211.202. Program Overview.
§98.203. Written Referrals for Services.	§211.203. Written Referrals for Services.
§98.204. DAHS Facility-Initiated Referrals.	§211.204. DAHS Facility-Initiated Referrals.
§98.205. Initiation of Services.	§211.205. Initiation of Services.
§98.206. Program Requirements.	§211.206. Program Requirements.
§98.207. Suspension of Day Activity and Health Services.	§211.207. Suspension of Day Activity and Health Services.
§98.208. Notifications.	§211.208. Notifications.
§98.209. Record Maintenance.	§211.209. Record Maintenance.
§98.210. Financial Errors.	§211.210. Financial Errors.
§98.211. Billing and Payment.	§211.211. Billing and Payment.
§98.212. Sanctions.	§211.212. Sanctions.

