

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 Health and Human Services Commission

Title 1, Part 15

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 1, Part 15, of the Texas Administrative Code:

Chapter 390, Information Practices

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 390, Information Practices, 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 390" 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The text of the chapter being reviewed will not be published but may be found in Title 1, Part 15, of the Texas Administrative Code on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

TRD-202403003

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: July 8, 2024



Texas 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 277, Primary Home Care, Community Attendant Services, and Family Care Programs

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 277, Primary Home Care, Community Attendant Services, and Family Care Programs, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to MCSRulesPublicComments@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 277" 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-202402921

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: July 2, 2024



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 278, Adult Foster Care (AFC) Program

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 278, Adult Foster Care (AFC) Program, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to MCSRulesPublicComments@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 278" 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-202402922
Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: July 2, 2024



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

Chapter 334, Rights and Protection of Individuals with an Intellectual Disability

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 334, Rights and Protection of Individuals with an Intellectual Disability, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to IDDServicesPolicyandRules@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 334" 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-202403008
Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: July 9, 2024



Texas Workforce Commission
Title 40, Part 20

In accordance with Texas Government Code §2001.039, the Texas Workforce Commission (TWC) files this notice of its intent to review Chapter 823, Integrated Complaints, Hearings, and Appeals; Chapter 837, Apprenticeship Training Program; Chapter 840, WIOA Eligible Training Providers; Chapter 842, WIOA Nondiscrimination and Equal Opportunity; and Chapter 858, Procurement and Contract Management Requirements for Purchase of Goods and Services for Vocational Rehabilitation Services.

TWC will assess whether the reasons for adopting the rules in Chapter 823, Chapter 837, Chapter 840, Chapter 842, and Chapter 858 continue to exist. Each rule in the chapters will be reviewed to determine whether the rule is obsolete, reflects current legal and policy considerations, and reflects current TWC procedures.

Comments on the proposed rule reviews may be submitted to TWCPolicyComments@twc.texas.gov and must be received no later than August 19, 2024.

TRD-202403010

Les Trobman
General Counsel
Texas Workforce Commission
Filed: July 9, 2024



Adopted Rule Reviews

Texas Commission on Fire Protection

Title 37, Part 13

The Texas Commission on Fire Protection (the Commission) adopts the review of the Texas Administrative Code, Title 37, Part 13, Chapter 401, concerning Administrative Practices and Procedures. The review was conducted pursuant to the Texas Government Code, Chapter 2001, §2001.039.

Notice of the review of this chapter was published in the February 16, 2024, issue of the *Texas Register* (49 TexReg 883). The Commission received no comments on the proposed rule review.

The Commission received no comments on the proposed rule review.

The Commission has determined that the reasons for initially adopting the rule continue to exist and readopts the chapter without changes.

This concludes the review of the Texas Administrative Code, Title 37, Part 13, Chapter 401.

TRD-202402995
Frank King
General Counsel
Texas Commission on Fire Protection
Filed: July 8, 2024



Department of Aging and Disability Services

Title 40, Part 1

The Texas Health and Human Services Commission (HHSC), as the successor agency of the Texas Department of Aging and Disability Services, adopts the review of the chapter below in Title 40, Part 1 of the Texas Administrative Code (TAC):

Chapter 58, Contracting to Provide Special Services to Persons with Disabilities

Notice of the review of this chapter was published in the February 16, 2024, issue of the *Texas Register* (49 TexReg 883). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 58 in accordance with Texas Government Code §2001.039, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist. The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 58. Any amendments, if applicable, to Chapter 58 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 40 TAC Chapter 58 as required by the Texas Government Code §2001.039.

TRD-202403004
Jessica Miller
Director, Rules Coordination Office
Department of Aging and Disability Services
Filed: July 9, 2024

