

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 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 211, Day Activity and Health Services (DAHS) Contractual Requirements

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 211, Day Activity and Health Services (DAHS) Contractual Requirements, 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 211" 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The text of the rule sections being reviewed will not be published but may be found in Title 26, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings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-202403530

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: July 31, 2024

Adopted Rule Reviews

Texas Health and Human Services Commission

Title 1, Part 15

The Texas Health and Human Services Commission (HHSC) adopts the review of the chapter below in Title 1, Part 15, of the Texas Administrative Code (TAC):

Chapter 359, Medicare Savings Program

Notice of the review of this chapter was published in the May 10, 2024, issue of the *Texas Register* (49 TexReg 3379). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 359 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 359. Any amendments, if applicable, to Chapter 359 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 1 TAC Chapter 359 as required by the Texas Government Code §2001.039.

TRD-202403457

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: July 29, 2024

Public Utility Commission of Texas

Title 16, Part 2

The Public Utility Commission of Texas (commission) initiated a review of Chapter 21, Interconnection Agreements for Telecommunications Service Providers, as required by Texas Government Code §2001.039, Agency Review of Existing Rules. The commission's Chapter 21 rules Interconnection Agreements for Telecommunications Service Providers (Texas Administrative Code, Title 16, Part 2), establish procedures for approving telecommunications interconnection agreements and resolving open issues under the Federal Telecommunications Act of 1996 (FTA) §252. The purpose of this review was to consider whether to re-adopt this chapter and assess whether the reasons for initially adopting these rules continue to exist. The notice of intention to review Chapter 21 was published in the *Texas Register* on June 7, 2024 at 49 TexReg 4065. Project Number 55293 is assigned to this rule review project. The commission did not receive any comments nor requests for hearing.

Having completed this review, the commission finds that the reasons for initially adopting Chapter 21 continue to exist and re-adopts the chapter with thirteen rule amendments which will be published in the Adopted Rules section of the *Texas Register*.

The commission readopts Chapter 21, Interconnection Agreements for Telecommunications Service Providers, under PURA §14.002, which provides the Commission with the authority to make and enforce rules

reasonably required in the exercise of its powers and jurisdiction; and Texas Government Code §2001.039, which requires each state agency to review its rules every four years.

Cross Reference to Statutes: Public Utility Regulatory Act §14.002 and Texas Government Code §2001.039.

TRD-202403361

Adriana Gonzales

Rules Coordinator

Public Utility Commission of Texas

Filed: July 25, 2024



State Board for Educator Certification

Title 19, Part 7

The State Board for Educator Certification (SBEC) adopts the review of 19 Texas Administrative Code (TAC) Chapter 231, Requirements for Public School Personnel Assignments, pursuant to Texas Government Code (TGC), §2001.039. The SBEC proposed the review of 19 TAC Chapter 231 in the May 31, 2024 issue of the *Texas Register* (49 TexReg 3937).

Relating to the review of 19 TAC Chapter 231, the SBEC finds that the reasons for the adoption continue to exist and readopts the rules. The following is a summary of the comments received on the proposal.

Comment: A teacher in Texas commented that any secondary certification that requires a college degree should suffice for being able to teach Grades 9-12 College Readiness and Study Skills classes, not just individuals who hold English- and Reading-related certificates.

Board Response: The issues raised are outside the scope of the rule review and will be taken into consideration during future rulemaking.

Comment: An administrator in Texas commented that the review of 19 TAC Chapter 231 should continue. The commenter shared concerns regarding §231.45 and the ability of teachers certified through Grade 6 being allowed to teach Grades 7-8. The individual also commented against English as a Second Language Generalists teaching English Language Arts, Grades 6-8, since the Texas Essential Knowledge and Skills (TEKS) are higher level.

Board Response: The issues raised are outside the scope of the rule review and will be taken into consideration during future rulemaking.

This concludes the review of 19 TAC Chapter 231.

TRD-202403465

Cristina De La Fuente-Valadez

Director, Rulemaking

State Board for Educator Certification

Filed: July 29, 2024



The State Board for Educator Certification (SBEC) adopts the review of 19 Texas Administrative Code (TAC) Chapter 234, Military Service Members, Military Spouses, and Military Veterans, pursuant to Texas Government Code (TGC), §2001.039. The SBEC proposed the review of 19 TAC Chapter 234 in the May 31, 2024 issue of the *Texas Register* (49 TexReg 3938).

Relating to the review of 19 TAC Chapter 234, the SBEC finds that the reasons for the adoption continue to exist and readopts the rules. The following is a summary of the comments received on the proposal.

Comment: A teacher in Texas commented their support of the rule review of 19 TAC Chapter 234 but asked that the pathway that provides

a one-year certificate to individuals who have taught at the Community College of the Airforce be extended to all who have taught at one of the 50 community colleges in Texas.

Board Response: The issue raised is outside the scope of the rule review and will be taken into consideration during future rulemaking.

Comment: A Texas teacher, who also identified as a military spouse, requested that Texas accept teaching credentials and test scores with reciprocity from other states for all military spouses.

Board Response: The SBEC agrees. Texas recognizes the standard certificates and corresponding examinations of military spouses issued licensure to teach by state departments of education outside of Texas. Military spouses can be exempted from most required certification examinations, except for the Science of Teaching Reading, which is mandated by state law. After completion of a successful out-of-state credentials review, military spouses can be issued a three-year temporary certificate or the five-year standard certificate to teach in Texas.

This concludes the review of 19 TAC Chapter 234.

TRD-202403466

Cristina De La Fuente-Valadez

Director, Rulemaking

State Board for Educator Certification

Filed: July 29, 2024



The State Board for Educator Certification (SBEC) adopts the review of 19 Texas Administrative Code (TAC) Chapter 245, Certification of Educators from Other Countries, pursuant to Texas Government Code (TGC), §2001.039. The SBEC proposed the review of 19 TAC Chapter 245 in the May 31, 2024 issue of the *Texas Register* (49 TexReg 3938).

Relating to the review of 19 TAC Chapter 245, the SBEC finds that the reasons for the adoption continue to exist and readopts the rules. The following is a summary of the comment received on the proposal.

Comment: A teacher in Texas commented that individuals from other countries should be able to pass an English language proficiency test of some type, similar to the Texas English Language Proficiency Assessment System (TELPAS).

Board Response: The issue raised is outside the scope of the rule review and will be taken into consideration during future rulemaking.

This concludes the review of 19 TAC Chapter 245.

TRD-202403467

Cristina De La Fuente-Valadez

Director, Rulemaking

State Board for Educator Certification

Filed: July 29, 2024



Texas Board of Physical Therapy Examiners

Title 22, Part 16

The Texas Board of Physical Therapy Examiners (Board) readopts the following chapters of Title 22, Part 16 of the Texas Administrative Code in accordance with Texas Government Code §2001.039: Chapter 321, concerning Definitions; Chapter 322, concerning Practice; Chapter 323, concerning Powers and Duties of the Board; Chapter 325, concerning Organization of the Board; Chapter 327, concerning Compensation; Chapter 329, concerning Licensing Procedure; Chapter 335, concerning Professional Title; Chapter 337, concerning Display of License; Chapter 339, concerning Fees; Chapter 341, concerning License

Renewal; Chapter 342, concerning Open Records; Chapter 343, concerning Contested Case Procedure; Chapter 344, concerning Administrative Fines and Penalties; Chapter 346, concerning Practice Settings for Physical Therapy; and Chapter 348, Physical Therapy Licensure Compact.

The notice of intent to review these rules was published in the May 3, 2024 issue of the *Texas Register* (49 TexReg 3021).

No comments were received on the proposed rule review.

The Board has assessed whether the reasons for adopting the rules continue to exist. As a result of the review, the Board finds the reasons for adopting the rules continue to exist and readopts the rules in accordance with the requirements of Texas Government Code §2001.039.

TRD-202403351

Ralph Harper

Executive Director

Texas Board of Physical Therapy Examiners

Filed: July 24, 2024



Department of State Health Services

Title 25, Part 1

The Texas Health and Human Services Commission (HHSC), in its own capacity and on behalf of the Texas Department of State Health Services (DSHS), adopts the review of the chapter below in Title 25, Part 1, of the Texas Administrative Code (TAC):

Chapter 102, Distribution of Tobacco Settlement Proceeds to Political Subdivisions

Notice of the review of this chapter was published in the June 14, 2024, issue of the *Texas Register* (49 TexReg 4439). HHSC received no comments concerning this chapter.

HHSC and DSHS have reviewed Chapter 102 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 agencies determined that the original reasons for adopting all rules in the chapter continue to exist and readopt Chapter 102. Any amendments, if applicable, to Chapter 102 identified by HHSC and DSHS in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's and DSHS' review of 25 TAC Chapter 102 as required by the Texas Government Code §2001.039.

TRD-202403360

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: July 25, 2024



The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), adopts the review of the chapter below in Title 25, Part 1, of the Texas Administrative Code (TAC):

Chapter 300, Manufacture, Distribution, and Retail Sale of Consumable Hemp Products

Notice of the review of this chapter was published in the March 22, 2024, issue of the *Texas Register* (49 TexReg 1974).

HHSC received 425 comments, some with multiple comments, concerning this chapter. A summary of comments and HHSC's and DSHS' responses follows.

Businesses submitting comments and represented in the individual comments include: 210 Double; Hometown Hero; CBD American Shaman (Southlake and College Station); Pharm Road Wellness; Tactical Vapors; Zebra Head; Hemp and Herbs; Happy Clouds; Endo Laredo Dispensary, LLC; Texas Hemp Reporter; Turquoise Mountains; Freedom Vapes; Elevated Hemp Co.; One Love Tattoos LLC; Moderne Primitives LLC; Mango Island Smoke Shop; Cozy Cannabis Dispensary; Fog Hog Vapors; RHD Remedies; Lufkin Vapor Supply; Breathe Easy Hemp-House; Maguire Strategies; Two Romantics; The Texas Hemp Show; and Canniversal.

Comment: Thirty-six commenters recommend keeping the current rules. One commenter is requesting no changes to the rules that restrict access to consumable hemp products.

Response: DSHS appreciates the comment and will review in future rule making.

Comment: One commenter suggests replacing the current QR code system with a more secure solution utilizing blockchain-enabled Near-Field Communication/Radio Frequency Identification (NFC/RFID) chips.

Response: The proposed labeling requirements are designed to be minimum standards. DSHS appreciates the comment and will review in future rule making.

Comment: One commenter recommends establishing Uniform Testing Laboratory Standards for Industry and Law Enforcement.

Response: The proposed testing requirements are designed to be minimum standards. Businesses may conduct more robust testing at their own discretion.

Comment: One commenter recommends requiring full panel testing on all consumable products.

Response: DSHS requires full panel testing, as appropriate to consumable hemp products.

Comment: Two commenters recommend adding the requirement that packaging be child resistant, as outlined in 16 C.F.R. 1700 (Poison Prevention Packaging) (1995).

Response: DSHS appreciates the comment and will review in future rule making.

Comment: Three commenters recommend restricting the sale of products from gas stations, convenience stores, and head shops. Products need to be in hemp/cannabis locations.

Response: DSHS makes no distinction between gas stations, convenience stores, and head shops. Businesses who sell consumable hemp products are required to obtain a license or registration from DSHS and to comply with Texas Health and Safety Code, Chapter 443 and 25 TAC Chapter 300.

Comment: One commenter recommends hemp products be made available only in specialty stores that have hemp permits, with strict guidelines in place to regulate the sale of these products.

Response: Businesses who sell consumable hemp products are required to obtain a license or registration from DSHS and to comply with Texas Health and Safety Code, Chapter 443 and 25 TAC Chapter 300.

Comment: One commenter recommends delta 8 gummy pieces be individually wrapped.

Response: DSHS cannot comment regarding delta 8 due to pending litigation. DSHS appreciates the comment and will review in future rule making.

Comment: Three commenters recommend prohibiting consumable hemp sales in alcohol licensed locations.

Response: DSHS considers these comments to be outside the scope of rulemaking for this chapter. House Bill (H.B.) 1325 (Texas Health and Safety Code, Chapter 443) requires DSHS to develop rules regulating the manufacture, distribution, and sale of consumable hemp products in Texas. Chapter 443 does not prohibit the sale of consumable hemp products at locations where alcoholic beverages are sold.

Comment: One commenter recommends putting tetrahydrocannabinol (THC) limits on serving sizes and packages. One commenter recommends the serving size be 10mg.

Response: DSHS appreciates the comment and will review in a future rule making process.

Comment: One commenter recommends outlawing cannabinoids other than delta 9 THC.

Response: DSHS appreciates the comment, due to pending litigation, DSHS will review this recommendation in a future rule making process.

Comment: Two commenters raised concerns regarding the dry weight of 0.3% delta 9 THC threshold. One commenter is concerned that firms are exploiting the loophole and the delta 9 THC should be measured by dose or milligrams, not percentage. Another commenter recommends "tightening" the farm bill so there is no ambiguity.

Response: The definition of hemp is in statute at Texas Health and Safety Code §443.001(5), which has the meaning assigned by Texas Agriculture Code §121.001. Change to statute requires legislative action and, hence, is outside the scope of the 4-year rule review.

Comment: One commenter recommends consumable hemp packaging not resemble common food items.

Response: DSHS defines a consumable hemp product as food, a drug, a device, or a cosmetic, as those terms are defined by Texas Health and Safety Code, §431.002(16), that contains hemp or one or more hemp-derived cannabinoids, including cannabidiol. Texas Health and Safety Code, §443.204(2) states products containing one or more hemp-derived cannabinoids, such as cannabidiol, intended for ingestion are considered foods.

Comment: Twenty-three commenters recommend that access of consumable hemp products be limited to only adults over the age of 21 years old. One commenter recommends vendors be also over the age of 21 to sell consumable hemp products to the public. One commenter further recommends adding an exception to military members between the ages of 18 through 21 years of age.

Response: Texas Health and Safety Code Chapter 443 does not state a minimum age to purchase consumable hemp products and must be addressed by Texas legislature.

Comment: One commenter recommends consumable hemp rules be evaluated and reviewed by medical and public health experts, not by persons with interest in the cannabis industry.

Response: H.B. 1325 (Texas Health and Safety Code, Chapter 443) requires DSHS to develop rules regulating, distribution, and sale of consumable hemp products. DSHS consults with subject matter experts in developing rules.

Comment: 394 commenters opposed the prohibition and restrictions to access to delta 8 THC, THC-A, and delta 9 THC consumable hemp products.

Reasons for opposition to the prohibition of delta 8 THC, THC-A, and delta 9 THC consumable hemp products include:

-A deleterious effect on the overall consumable hemp product business in Texas, particularly on those businesses already selling the products.

-A negative impact on individuals who depend on smoking for rapid delivery of cannabidiol to relieve medical conditions.

-Lack of constitutionality under the Texas Farm Bill.

-The cannabis illegal black market will flourish.

-The opioids crisis will worsen.

Response: DSHS appreciates the comment, due to pending litigation, DSHS will review in future rule making.

Comment: One commenter recommends revision of proposed 25 TAC §300.301 to require specific analytical techniques such as Gas Chromatography Mass Spectrometry (GC-MS) and High-Performance Liquid Chromatography (HPLC).

Response: DSHS appreciates the comment and will review in future rule making. Texas Health and Safety Code §443.202 and §443.151 do not prescribe testing methods.

Comment: One commenter recommends the establishment of an office to track and issue licenses, inspect retailers, issue warnings and citations, educate consumers on responsible use, and regularly evaluate the program.

Response: DSHS has established a Consumable Hemp Program that tracks and issues licenses, inspects retailers, issues warnings and citations, and regularly evaluates the program's goals. DSHS appreciates the comment about educating consumers on responsible use and will review in future rule making.

Comment: One commenter recommends that smokable hemp be removed from retail establishments via inspection and compliance checks.

Response: Manufacturing and processing of consumable hemp products for smoking is prohibited; however, distribution and retail sale of consumable hemp products for smoking are allowed.

Comment: One commenter recommends prohibiting cannabinoids until further research is conducted.

Response: DSHS appreciates the comment and will review in future rule making.

Comment: One commenter recommends that no retail cannabis establishments or signage be located within 500 feet of a school, church, playground, park, or other areas where youth are likely to be.

Response: The Texas Health and Safety Code, Chapter 443 does not have any zoning restrictions. The issue must be addressed by Texas legislature.

Comment: One commenter recommends the regulating agency establish excise taxes, indexed to inflation, at a rate intended to discourage excessive use and underage use. These revenues must be allocated in part to drug prevention and treatment programs as well as law enforcement, emergency services, and mental health to alleviate the negative consequences of increased access to a third legal drug.

Response: Agencies must possess statutory authority to adopt rules, and a rule may not exceed that statutory authority. DSHS considers this comment outside the scope of statutory authority of Texas Health

and Safety Code Chapter 443, which requires DSHS to develop rules regulating the manufacture, distribution, and sale of consumable hemp products in Texas.

Comment: One commenter recommends that cannabis products and businesses not be allowed to advertise via TV or other broadcast media (radio, movie theaters, online media, etc.) nor on billboards. The commenter also recommends that print and online advertisements not contain endorsements or images of superheroes, celebrities, human models, paraphernalia, mascots, marijuana leaves, or graphic images of drug use. The commenter further recommends that the regulating agency establish minimum pricing to reduce marketing through extreme discounts and prohibit "giveaways" of free product and that rules prohibit violations of trademark law, products that appear similar to popular foods and drinks, and packaging that is overly attractive to youth.

Response: Agencies must possess statutory authority to adopt rules, and a rule may not exceed that statutory authority of Texas Health and Safety Code Chapter 443. DSHS considers this comment outside the scope of statutory authority of Texas Health and Safety Code Chapter 443, which requires DSHS to develop rules regulating the manufacture, distribution, and sale of consumable hemp products in Texas.

Comment: Sixteen commenters recommend on not revising or restricting the farm bill.

Response: Agencies must possess statutory authority to adopt rules and a rule may not exceed that statutory authority. DSHS considers these comments outside the scope of statutory authority of Texas Health and Safety Code Chapter 443, which requires DSHS to develop rules regulating the manufacture, distribution, and sale of consumable hemp products in Texas.

Comment: Thirteen commenters recommend legalizing marijuana.

Response: DSHS considers these comments outside the scope of rule-making for this chapter. H.B. 1325 (Texas Health and Safety Code, Chapter 443) requires DSHS to develop rules regulating the manufacture, distribution, and sale of consumable hemp products in Texas. H.B. 1325 contains no authorization for the legalization of marijuana in Texas.

HHSC and DSHS have reviewed 25 TAC Chapter 300 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 agencies determined that the original reasons for adopting all rules in the chapter continue to exist and readopts 25 TAC Chapter 300. Any amendments, if applicable, to 25 TAC Chapter 300 identified by HHSC and DSHS in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's and DSHS' review of 25 TAC Chapter 300 as required by the Texas Government Code §2001.039.

TRD-202403407

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: July 26, 2024



The Texas Health and Human Services Commission (HHSC), in its own capacity and on behalf of the Texas Department of State Health Services (DSHS), adopts the review of the chapter below in Title 25, Part 1, of the Texas Administrative Code (TAC):

Chapter 417, Agency and Facility Responsibilities

Notice of the review of this chapter was published in the May 3, 2024, issue of the *Texas Register* (49 TexReg 3022). HHSC received no comments concerning this chapter.

HHSC and DSHS have reviewed Chapter 417 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.

HHSC determined that the original reasons for adopting rules in the chapter continue to exist, however, HHSC has rules in Title 26 that address the same topics as the following rules. The repeal of the following Chapter 417 rules identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*:

§417.4, Definitions;

§417.7, Inscription on State Vehicles;

§417.14, Non-Commercial Groups;

§417.15, Family Members and Guests of an Individual Receiving Services;

§417.27, Depositing Department Funds;

§417.28, Investing Department Funds;

§417.29 Benefit Funds: Use and Control;

§417.38, Individual's Personal Property;

§417.504, Prohibition and Definitions of Abuse, Neglect, and Exploitation;

§417.505, 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;

§417.510, Completion of the Investigation;

§417.511, Confidentiality of Investigative Process and Report;

§417.512, Classifications and Disciplinary Actions;

§417.513, Contractors; and

§417.515, Staff Training in Identifying, Reporting, and Preventing Abuse, Neglect, and Exploitation.

HHSC determined that the original reasons for adopting the following rules in the chapter do not exist and the following rules identified by HHSC in the rule review will be proposed for repeal in a future issue of the *Texas Register*:

§417.1, Purpose;

§417.2, Application;

§417.3, Compliance with Nondiscrimination Laws

§417.6, Assignment and Use of Pooled Vehicles;

§417.9, Material Safety Data Sheets;

§417.23, Unauthorized Departures That May Have Unusual Consequences;

§417.33, Mail for Staff Residing On Campus;

§417.34, Commercial Solicitation on Grounds;

§417.49, References;

§417.50, Distribution;

- §417.516, Exhibits;
- §417.517, References; and
- §417.518, Distribution.

HHSC and DSHS determined that the original reasons for adopting the following rules in the chapter continue to exist and readopts these rules. Any amendments, if applicable, to the following rules identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*:

- §417.39, Protecting an Individual's Personal Funds;
- §417.40, Notice Regarding Personal Funds;
- §417.41, Determining Management of Personal Funds;
- §417.42, SMHF-Managed Personal Funds;
- §417.43, Requests for Personal Funds from Trust Fund Accounts;
- §417.44, Returning Individual's Personal Funds on Discharge;
- §417.45, Unclaimed Personal Funds and Property;
- §417.46, Contributions;
- §417.301, Purpose;
- §417.302, Application;
- §417.303, Definitions;
- §417.305, Limitations on Private Donations;
- §417.306, Volunteer Services Council;
- §417.501, Purpose;
- §417.502, Application;
- §417.503, Definitions;
- §417.504, Prohibition and Definitions of Abuse, Neglect, and Exploitation;
- §417.508, Responsibilities of the Head of the Facility;
- §417.509, Peer Review; and
- §417.514, TDMHMR Administrative Responsibilities.

This concludes HHSC's review of 25 TAC Chapter 417 as required by the Texas Government Code §2001.039.

TRD-202403461
 Jessica Miller
 Director, Rules Coordination Office
 Department of State Health Services
 Filed: July 29, 2024



Texas Health and Human Services Commission
Title 26, Part 1

The Texas Health and Human Services Commission (HHSC) adopts the review of the chapter below in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 352, Comprehensive Rehabilitation Services

Notice of the review of this chapter was published in the June 7, 2024, issue of the *Texas Register* (49 TexReg 4067). HHSC received no comments concerning this chapter.

The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 352. Any amendments, if applicable, to Chapter 352 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 26 TAC Chapter 352 as required by the Texas Government Code §2001.039.

TRD-202403359
 Jessica Miller
 Director, Rules Coordination Office
 Texas Health and Human Services Commission
 Filed: July 25, 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 11, Quality Assurance Fee

Notice of the review of this chapter was published in the June 7, 2024, issue of the *Texas Register* (49 TexReg 4068). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 11 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 11. Any amendments, if applicable, to Chapter 11 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 11 as required by the Texas Government Code §2001.039.

TRD-202403538
 Jessica Miller
 Director, Rules Coordination Office
 Department of Aging and Disability Services
 Filed: July 31, 2024

