

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. Ouestions about the website and printed copies of these notices may be directed to the *Texas Register* office.

Proposed Rule Reviews

Department of State Health Services

Title 25, Part 1

The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 218, Evaluation of Milk and Shellfish Laboratories

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 218, Evaluation of Milk and Shellfish Laboratories, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to regulatory.seafood@dshs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 218" 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The text of the rule sections being reviewed will not be published but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings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-202403821 Jessica Miller Director, Rules Coordination Office Department of State Health Services Filed: August 20, 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 readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 214, National Senior Services Corps 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 214 National Senior Services Corps Program, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to CommunityServices LegislativeCoordination@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 214" 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-202403732 Jessica Miller Director, Rules Coordination Office Texas Health and Human Services Commission Filed: August 15, 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 507, End Stage Renal Disease Facilities

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 507, End Stage Renal Disease Facilities, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to her pru@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 507" 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-202403730 Jessica Miller Director, Rules Coordination Office Texas Health and Human Services Commission Filed: August 15, 2024

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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 509, Freestanding Emergency Medical Care Facilities

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 509, Freestanding Emergency Medical Care Facilities, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to HCR_PRU@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 509" 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-202403818 Jessica Miller Director, Rules Coordination Office Texas Health and Human Services Commission Filed: August 19, 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 567, Certificate of Public Advantage

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 567, Certificate of Public Advantage, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to HCR_PRU@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 567" 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-202403819

Jessica Miller Director, Rules Coordination Office Texas Health and Human Services Commission Filed: August 19, 2024

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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 903, Interstate Compact on Mental Health and Intellectual and Developmental Disabilities

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 903, Interstate Compact on Mental Health and Intellectual and Developmental Disabilities, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to HealthandSpecialtyCare@hhsc.state.tx.us. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 903" 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-202403820 Jessica Miller Director, Rules Coordination Office Texas Health and Human Services Commission Filed: August 20, 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, proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 40, Part 1, of the Texas Administrative Code:

Chapter 4, Rights and Protection of Individuals Receiving Intellectual Disability Services

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 4, Rights and Protection of Individuals Receiving Intellectual Disability Services, 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 4" 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 40, 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-202403731 Jessica Miller Director, Rules Coordination Office Department of Aging and Disability Services Filed: August 15, 2024

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Department of Assistive and Rehabilitative Services

Title 40, Part 2

The Texas Health and Human Services Commission (HHSC), as the successor agency of the Texas Department of Assistive and Rehabilitative Services, proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 40, Part 2, of the Texas Administrative Code:

Chapter 101, Administrative Rules and Procedures

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 101, Administrative Rules and Procedures, 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 101" 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 40, Part 2, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

TRD-202403725 Jessica Miller Director, Rules Coordination Office Department of Assistive and Rehabilitative Services Filed: August 14, 2024

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Texas Water Development Board

Title 31, Part 10

The Texas Water Development Board (TWDB) files this notice of intent to review the rules in 31 Texas Administrative Code, Title 31, Part 10, Chapter 361.

This review is being conducted in accordance with the requirements of the Texas Government Code, §2001.039, which requires state agencies to review and consider for readoption each of their rules every four years.

The TWDB will consider whether the initial factual, legal, and policy reasons for adopting rules in this chapter continue to exist and whether these rules should be repealed, readopted, or readopted with amendments.

Written comments on this notice may be submitted by mail to Office of General Counsel, Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711-3231, by email to rulescomments@twdb.texas.gov, or by fax to (512) 475-2053. Comments will be accepted until 5:00 p.m. of the 31st day following publication in the *Texas Register*. Include "Chapter 361" in the subject line of any comments submitted.

TRD-202403743 Ashley Harden General Counsel Texas Water Development Board Filed: August 15, 2024

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Adopted Rule Reviews

Office of Consumer Credit Commissioner

Title 7, Part 5

The Finance Commission of Texas (commission) has completed the rule review of Texas Administrative Code, Title 7, Part 5, Chapter 84, concerning Motor Vehicle Installment Sales, in its entirety. The rule review was conducted under Texas Government Code, §2001.039.

Notice of the review of 7 TAC Chapter 84 was published in the May 31, 2024, issue of the *Texas Register* (49 TexReg 3937). The commission received no comments in response to that notice. The commission believes that the reasons for initially adopting the rules contained in this chapter continue to exist.

As a result of the rule review, the commission finds that the reasons for initially adopting the rules in 7 TAC Chapter 84 continue to exist, and readopts this chapter in accordance with the requirements of Texas Government Code, §2001.039.

TRD-202403787 Matthew Nance General Counsel Office of Consumer Credit Commissioner Filed: August 16, 2024

Department of State Health Services

Title 25, Part 1

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

Chapter 131, Freestanding Emergency Medical Care Facilities

Notice of the review of this chapter was published in the June 21, 2024, issue of the *Texas Register* (49 TexReg 4605). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 131 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 131. Any amendments, if applicable, to Chapter 131 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 25 TAC Chapter 131 as required by Texas Government Code §2001.039.

TRD-202403830 Jessica Miller Director, Rules Coordination Office Department of State Health Services Filed: August 20, 2024

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

Chapter 138, Disposition of Embryonic and Fetal Tissue Remains

Notice of the review of this chapter was published in the June 21, 2024, issue of the *Texas Register* (49 TexReg 4606). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 138 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 138. Any amendments, if applicable, to Chapter 138 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 25 TAC Chapter 138 as required by the Texas Government Code §2001.039.

TRD-202403833 Jessica Miller Director, Rules Coordination Office Department of State Health Services Filed: August 20, 2024

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

Chapter 139, Abortion Facility Reporting and Licensing

Notice of the review of this chapter was published in the June 21, 2024, issue of the *Texas Register* (49 TexReg 4606). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 139 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 139. Any amendments, if applicable, to Chapter 139 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 25 TAC Chapter 139 as required by Texas Government Code §2001.039.

TRD-202403841 Jessica Miller Director, Rules Coordination Office Department of State Health Services Filed: August 20, 2024

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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 169, Zoonosis Control

Notice of the review of this chapter was published in the July 5, 2024, issue of the *Texas Register* (49 TexReg 4938).

HHSC received a comment concerning this chapter from one commenter, from the Pet Advocacy Network. A summary of the comment and DSHS' response follows.

Comment: One commenter suggested their support of readopting Title 25 Texas Administrative Code, Chapter 169, Subchapter A, relating to Rabies Control and Eradication, specifically to protect the people and pets of Texas from exposure to rabies and Title 25 Texas Administrative Code, Chapter 169, Subchapter F, relating to reptile-associated salmonellosis, specifically to maintain public education efforts to prevent the spread of salmonella in the pet reptile community.

Response: DSHS agrees with the continuation of these rules to prevent the spread of rabies and of salmonella in people and animals, plus the existence of these rules are mandated by statute.

DSHS has reviewed Chapter 169 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.

DSHS determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 169. Any amendments, if applicable, to Chapter 169 identified by DSHS in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes DSHS' review of 25 TAC Chapter 169 as required by the Texas Government Code §2001.039.

TRD-202403851 Jessica Miller Director, Rules Coordination Office Department of State Health Services Filed: August 21, 2024

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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 200, Reporting of Health Care-Associated Infections and Preventable Adverse Events

Notice of the review of this chapter was published in the June 21, 2024, issue of the *Texas Register* (49 TexReg 4606). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 200 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 rules in the chapter continue to exist and readopts Chapter 200 except for:

§200.4, Healthcare Safety Advisory Committee

The identified repeal and any amendments, if applicable, to Chapter 200 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 25 TAC Chapter 200 as required by the Texas Government Code §2001.039.

TRD-202403739 Jessica Miller Director, Rules Coordination Office Department of State Health Services Filed: August 15, 2024

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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 358, Children's Autism Program

Notice of the review of this chapter was published in the July 5, 2024, issue of the *Texas Register* (49 TexReg 4938). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 358 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 358. Any amendments, if applicable, to Chapter 358 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 358 as required by the Texas Government Code §2001.039.

TRD-202403842 Jessica Miller Director, Rules Coordination Office Texas Health and Human Services Commission Filed: August 21, 2024

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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 359, Division for Blind Services

Notice of the review of this chapter was published in the July 5, 2024, issue of the *Texas Register* (49 TexReg 4938). 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 rules in the chapter continue to exist and readopts Chapter 359 except for:

§359.11, Services Provided by Schools;

§359.111, Travel;

§359.113, Child Care;

§359.117, Case Management Services;

§359.119, Eligibility for BCVDD Program Case Management Services;

§359.123, Case Management Reimbursement Charges;

§359.201, Purpose;

§359.203, Application of an Order of Selection; and

§359.251, BCVDD Program Complaint Resolution Process.

The repeals identified by HHSC in the rule review and any amendments, if applicable, to Chapter 359 will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 26 TAC Chapter 359 as required by the Texas Government Code §2001.039.

TRD-202403853 Jessica Miller Director, Rules Coordination Office Texas Health and Human Services Commission Filed: August 21, 2024

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 506, Special Care Facilities

Notice of the review of this chapter was published in the June 21, 2024, issue of the *Texas Register* (49 TexReg 4606). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 506 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 506. Any amendments, if applicable, to Chapter 506 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 506 as required by Texas Government Code §2001.039.

TRD-202403727 Jessica Miller Director, Rules Coordination Office Texas Health and Human Services Commission Filed: August 15, 2024

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 510, Private Psychiatric Hospitals and Crisis Stabilization Units

Notice of the review of this chapter was published in the June 21, 2024, issue of the *Texas Register* (49 TexReg 4607). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 510 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 510. Any amendments, if applicable, to Chapter 510 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 510 as required by Texas Government Code §2001.039.

TRD-202403728 Jessica Miller Director, Rules Coordination Office Texas Health and Human Services Commission Filed: August 15, 2024

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Texas Veterans Commission

Title 40, Part 15

The Texas Veterans Commission (Commission) has completed its review of 40 Texas Administrative Code Chapters 455 and 456.

The notice of proposed rule review was published in the March 1, 2024, issue of the *Texas Register* (49 TexReg 1290). The Commission received no comments regarding the proposed rule review.

After completing the review of 40 TAC Chapter 455, concerning the TAPS Program, the Commission determined that the reason for initially adopting Chapter 455 does not continue to exist. Consequently, the Commission is repealing Chapter 455. The Commission determined that the reason for initially adopting Chapter 456 continues to exist and readopts this Chapter with amendments. As a result, the Commission adopted amendments to these rules, which can be found in the Adopted Rules section of this issue.

This notice concludes the Commission's review of the Texas Administrative Code, Title 40 Part 15, Chapters 455 and 456.

TRD-202403742

Kathleen Cordova General Counsel Texas Veterans Commission Filed: August 15, 2024

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The Texas Veterans Commission (Commission) has completed its review of Texas Administrative Code (TAC), Title 40, Part 15, Chapter 461.

The notice of proposed rule review was published in the May 31, 2024, issue of the *Texas Register* (49 TexReg 3940). The Commission received no comments regarding the proposed rule review.

After completing the review of 40 TAC Chapter 461, concerning Veterans Education, the Commission determined that the reasons for initially adopting these rules continue to exist. The Commission, under Texas Government Code §2001.039, readopts these rules with amendments. As a result, the Commission proposed amendments to these rules, which can be found in the Proposed Rules section of this issue.

This notice concludes the Commission's review of the Texas Administrative Code, Title 40, Part 15, Chapter 461.

TRD-202403746 Kathleen Cordova General Counsel Texas Veterans Commission Filed: August 15, 2024

