

# 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 rule in Texas Administrative Code, Title 40, Part 1, Chapter 2, Local Authority Responsibilities, Subchapter A, Local Authority Notification and Appeal is being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 301, IDD-BH Contractor Administrative Functions, new Subchapter D, LIDDA, LMHA, and LBHA Notification and Appeal Process.

The rule will be transferred in the Texas Administrative Code effective January 1, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 2, Subchapter A

TRD-202304311

## Health and Human Services Commission

### Rule Transfer

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The rule will be transferred in the Texas Administrative Code effective January 1, 2024.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 2, Subchapter A

TRD-202304307

Figure: 40 TAC Chapter 2, Subchapter A

| <b>Current Rules</b>   | <b>Move to</b>   |
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| <b>Title 40. Social Services and Assistance</b>              | <b>Title 26. Health and Human Services</b>                                 |
| <b>Part 1. Department of Aging and Disability Services</b>   | <b>Part 1. Texas Health and Human Services Commission</b>                  |
| <b>Chapter 2. Local Authority Responsibilities</b>           | <b>Chapter 301. IDD-BH Contractor Administrative Functions</b>             |
| <b>Subchapter A. Local Authority Notification And Appeal</b> | <b>Subchapter D. LIDDA, LMHA, and LBHA Notification and Appeal Process</b> |
| §2.46. Notification and Appeals Process.                     | §301.155. Notification and Appeal Process.                                 |

