

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 State Health 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, certain functions previously performed by the Department of State Health Services (DSHS), including client services, certain regulatory functions, and the operation of state hospitals, transferred to the Texas Health and Human Services Commission (HHSC) in accordance with Texas Government Code, §531.0201 and §531.02011. The DSHS rules in Texas Administrative Code, Title 25, Part 1, Chapter 139, Abortion Facility Reporting and Licensing, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 504, Abortion Facility Reporting and Licensing.

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

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 139

TRD-202405774

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, certain functions previously performed by the Department of State Health Services (DSHS), including client services, certain regulatory functions, and the operation of state hospitals, transferred to the Texas Health and Human Services Commission (HHSC) in accordance with Texas Government Code, §531.0201 and §531.02011. The DSHS rules in Texas Administrative Code, Title 25, Part 1, Chapter 139, Abortion Facility Reporting and Licensing, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 504, Abortion Facility Reporting and Licensing.

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

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 139

TRD-202405775

Figure: 25 TAC Chapter 139

Current Rules Title 25. Health Services Part 1. Department of State Health Services Chapter 139. Abortion Facility Reporting and Licensing	Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 504. Abortion Facility Reporting and Licensing
Subchapter A. General Provisions	Subchapter A. General Provisions
§139.1. Purpose and Scope.	§504.1. Purpose and Scope.
§139.2. Definitions.	§504.2. Definitions.
§139.3. Unlicensed Facility.	§504.3. Unlicensed Facility.
§139.4. Monthly Reporting Requirements for All Abortions Performed or Induced.	§504.4. Monthly Reporting Requirements for All Abortions Performed or Induced.
§139.5. Additional Reporting Requirements.	§504.5. Additional Reporting Requirements.
§139.6. Public Information; Toll-Free Telephone Number.	§504.6. Public Information; Toll-Free Telephone Number.
§139.7. Unique Identifying Number; Disclosure in Advertisement.	§504.7. Unique Identifying Number; Disclosure in Advertisement.
§139.8. Quality Assurance.	§504.8. Quality Assurance.
§139.9. Severability.	§504.9. Severability.
Subchapter B. Licensing Procedures	Subchapter B. Licensing Procedures
§139.21. General Requirements for Licensure.	§504.21. General Requirements for Licensure.
§139.22. Fees.	§504.22. Fees.
§139.23. Application Procedures and Issuance of Licenses.	§504.23. Application Procedures and Issuance of Licenses.
§139.24. Change of Ownership or Services, Change of Physical Location, and Closure of a Licensed Abortion Facility.	§504.24. Change of Ownership or Services, Change of Physical Location, and Closure of a Licensed Abortion Facility.
§139.25. Time Periods for Processing and Issuing a License.	§504.25. Time Periods for Processing and Issuing a License.
Subchapter C. Enforcement	Subchapter C. Enforcement
§139.31. On-site Inspections and Complaint Investigations of a Licensed Abortion Facility.	§504.31. On-site Inspections and Complaint Investigations of a Licensed Abortion Facility.
§139.32. License Denial, Suspension, Probation, or Revocation.	§504.32. License Denial, Suspension, Probation, or Revocation.
§139.33. Administrative Penalties, Injunction, Criminal Penalties, and Civil Penalties.	§504.33. Administrative Penalties, Injunction, Criminal Penalties, and Civil Penalties.
Subchapter D. Minimum Standards for Licensed Abortion Facilities	Subchapter D. Minimum Standards for Licensed Abortion Facilities
§139.40. Adoption by Reference of Ambulatory Surgical Centers Rules.	§504.40. Adoption by Reference of Ambulatory Surgical Centers Rules.
§139.41. Policy Development and Review.	§504.41. Policy Development and Review.
§139.42. Delegation of Authority and Organizational Structure.	§504.42. Delegation of Authority and Organizational Structure.

§139.43. Personnel Policies.	§504.43. Personnel Policies.
§139.44. Orientation, Training, and Demonstrated Competency.	§504.44. Orientation, Training, and Demonstrated Competency.
§139.45. Personnel Records.	§504.45. Personnel Records.
§139.46. Licensed Abortion Facility Staffing Requirements and Qualifications.	§504.46. Licensed Abortion Facility Staffing Requirements and Qualifications.
§139.47. Licensed Abortion Facility Administration.	§504.47. Licensed Abortion Facility Administration.
§139.48. Physical and Environmental Requirements.	§504.48. Physical and Environmental Requirements.
§139.49. Infection Control Standards.	§504.49. Infection Control Standards.
§139.50. Disclosure Requirements.	§504.50. Disclosure Requirements.
§139.51. Patient Rights at the Facility.	§504.51. Patient Rights at the Facility.
§139.52. Patient Education/Information Services.	§504.52. Patient Education/Information Services.
§139.53. Medical and Clinical Services.	§504.53. Medical and Clinical Services.
§139.54. Health Care Services.	§504.54. Health Care Services.
§139.55. Clinical Records.	§504.55. Clinical Records.
§139.56. Emergency Services.	§504.56. Emergency Services.
§139.57. Discharge and Follow-up Referrals.	§504.57. Discharge and Follow-up Referrals.
§139.58. Reporting Requirements.	§504.58. Reporting Requirements.
§139.59. Anesthesia Services.	§504.59. Anesthesia Services.
§139.60. Other State and Federal Compliance Requirements.	§504.60. Other State and Federal Compliance Requirements.

Department of State Health 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, certain functions previously performed by the Department of State Health Services (DSHS), including client services, certain regulatory functions, and the operation of state hospitals, transferred to the Texas Health and Human Services Commission (HHSC) in accordance with Texas Government Code, §531.0201 and §531.02011. The DSHS rules in Texas Administrative Code, Title 25, Part 1, Chapter 415, Provider Clinical Responsibilities--Mental Health Services, Subchapter A, Prescribing of Psychoactive Medication, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 320, Rights of Individuals, Subchapter D, Prescribing of Psychoactive Medication.

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

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 415, Subchapter A

TRD-202405776

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, certain functions previously performed by the Department of State Health Services (DSHS), including client services, certain regulatory functions, and the operation of state hospitals, transferred to the Texas Health and Human Services Commission (HHSC) in accordance with Texas Government Code, §531.0201 and §531.02011. The DSHS rules in Texas Administrative Code, Title 25, Part 1, Chapter 415, Provider Clinical Responsibilities--Mental Health Services, Subchapter A, Prescribing of Psychoactive Medication, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 320, Rights of Individuals, Subchapter D, Prescribing of Psychoactive Medication.

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

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 415, Subchapter A

TRD-202405777

Figure: 25 TAC Chapter 415, Subchapter A

<p>Current Rules Title 25. Health Services Part 1. Department of State Health Services Chapter 415. Provider Clinical Responsibilities--Mental Health Services</p>	<p>Move to Title 26. Health and Human Services Part 1. Health and Human Services Commission Chapter 320. Rights of Individuals</p>
<p>Subchapter A. Prescribing of Psychoactive Medication</p>	<p>Subchapter D. Prescribing of Psychoactive Medication</p>
<p>§415.1. Purpose.</p>	<p>§320.201. Purpose.</p>
<p>§415.2. Application.</p>	<p>§320.203. Application.</p>
<p>§415.3. Definitions.</p>	<p>§320.205. Definitions.</p>
<p>§415.5. General Principles.</p>	<p>§320.207. General Principles.</p>
<p>§415.6. Evaluation and Diagnosis.</p>	<p>§320.209. Evaluation and Diagnosis.</p>
<p>§415.7. Prescribing Parameters.</p>	<p>§320.211. Prescribing Parameters.</p>
<p>§415.8. Emergency Use of Psychoactive Medication.</p>	<p>§320.213. Emergency Use of Psychoactive Medication.</p>
<p>§415.10. Medication Monitoring.</p>	<p>§320.217. Medication Monitoring.</p>
<p>§415.11. Special Populations.</p>	<p>§320.219. Special Populations.</p>
<p>§415.12. Quality Improvement.</p>	<p>§320.221. Quality Improvement.</p>

