

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 375, Refugee Cash Assistance and Medical Assistance Programs

Subchapter A Program Purpose and Scope

Subchapter B Contractor Requirements for The Refugee Cash Assistance Program (RCA)

Subchapter C Program Administration for The Refugee Cash Assistance Program (RCA)

Subchapter D Refugee Cash Assistance Participant Requirements

Subchapter E Refugee Medical Assistance

Subchapter F Modified Adjusted Gross Income Methodology

Subchapter G Local Resettlement Agency 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 375, Refugee Cash Assistance and Medical Assistance Programs, 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 375" 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The text of the chapter being reviewed will not be published, but may be found in Title 1, Part 15, of the Texas Administrative Code on the Secretary of State's website at StateRulesandOpenMeetings.texas.gov.

TRD-202304706

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: December 13, 2023

Texas Education Agency

Title 19, Part 2

Texas Education Agency (TEA) proposes the review of 19 TAC Chapter 103, Health and Safety, Subchapter AA, Commissioner's Rules Concerning Physical Fitness; Subchapter BB, Commissioner's Rules Concerning General Provisions for Health and Safety; Subchapter CC, Commissioner's Rules Concerning Safe Schools; and Subchapter DD, Commissioner's Rules Concerning Video Surveillance of Certain Special Education Settings, pursuant to Texas Government Code, §2001.039.

As required by Texas Government Code, §2001.039, TEA will accept comments as to whether the reasons for adopting Chapter 103, Subchapters AA-DD, continue to exist.

The public comment period on the review begins December 22, 2023, and ends January 29, 2024. A form for submitting public comments on the proposed rule review is available on the TEA website at <https://tea.texas.gov/about-tea/laws-and-rules/commissioner-rules-tac/commissioner-of-education-rule-review>.

TRD-202304696

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: December 12, 2023

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 re adoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 73, 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 73, Laboratories, 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.

tionOffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 73" 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 (texas.gov).

TRD-202304662
Jessica Miller
Director, Rules Coordination Office
Department of State Health Services
Filed: December 11, 2023



The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State of 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 146, Training and Certification of Promotores or Community Health Workers

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 146, Training and Certification of Promotores or Community Health Workers, 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 146" 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 (texas.gov).

TRD-202304663
Jessica Miller
Director, Rules Coordination Office
Department of State Health Services
Filed: December 11, 2023



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:

Chapter 302, IDD-BH Training
Subchapter A Mental Health First Aid

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 con-

tinue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 302, IDD-BH Training, 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 302" 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 (texas.gov).

TRD-202304591
Jessica Miller
Director, Rules Coordination Office
Health and Human Services Commission
Filed: December 7, 2023



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:

Chapter 363, County Indigent Health Care Program
Subchapter A Program Administration
Subchapter B Determining Eligibility
Subchapter C Providing 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 363, County Indigent Health Care Program, 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 363" 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 (texas.gov).

TRD-202304653
Jessica Miller
Director, Rules Coordination Office
Health and Human Services Commission
Filed: December 11, 2023



Adopted Rule Reviews

Texas Education Agency

Title 19, Part 2

The State Board of Education (SBOE) adopts the review of 19 Texas Administrative Code (TAC) Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, pursuant to Texas Government Code, §2001.039. The rules reviewed by the SBOE in 19 TAC Chapter 33 relate to investments and are organized under the following subchapters: Subchapter A, State Board of Education Rules, and Subchapter B, Texas Permanent School Fund Corporation Rules.

The SBOE proposed the review of 19 TAC Chapter 33, Subchapters A and B, in the October 6, 2023, issue of the *Texas Register* (48 TexReg 5827).

Relating to the review of 19 TAC Chapter 33, Subchapters A and B, the SBOE finds that the reasons for adopting Subchapters A and B continue to exist and readopts the rules. The SBOE approved for first reading and filing authorization the proposed amendment to 19 TAC Chapter 33, Subchapter A, §33.2, Distributions to the Available School Fund, which can be found in the Proposed Rules section of this issue.

The SBOE received no comments related to the review of Subchapters A and B.

This concludes the review of Chapter 33.

TRD-202304587

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: December 6, 2023



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), adopts the review of the chapter below in Title 25, Part 1, of the Texas Administrative Code (TAC):

Chapter 296, Texas Asbestos Health Protection

Subchapter A General Provisions

Subchapter B Definitions

Subchapter C Standards of Conduct

Subchapter D License and Registration

Subchapter E Training Provider License and Training Courses

Subchapter F License and Registration Fees

Subchapter G State Licensing Examination

Subchapter H License and Registration Provisions Related to Military Service Members, Military Veterans, and Military Spouses

Subchapter I Accreditation

Subchapter J Exemptions

Subchapter K Asbestos Management in a Public Building, Commercial Building, or Facility

Subchapter L General Requirements, and Practices and Procedures for Asbestos Abatement in a Public Building

Subchapter M Alternative Asbestos Practices and Procedures in a Public Building

Subchapter N Notifications

Subchapter O Inspections and Investigations

Subchapter P Recordkeeping

Subchapter Q Compliance

Notice of the review of this chapter was published in the October 13, 2023, issue of the *Texas Register* (48 TexReg 5988). HHSC and DSHS received no comments concerning this chapter.

HHSC and DSHS have reviewed Chapter 296 in accordance with §2001.039 of the Texas Government Code, 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 Chapter 296. Any amendments or repeals to Chapter 296 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 296 as required by the Texas Government Code, §2001.039.

TRD-202304601

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: December 8, 2023



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 331, LIDDA Service Coordination

Notice of the review of this chapter was published in the October 27, 2023, issue of the *Texas Register* (48 TexReg 6397). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 331 in accordance with §2001.039 of the Texas Government Code, 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 331. Any amendments or repeals to Chapter 331 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 331 as required by the Texas Government Code, §2001.039.

TRD-202304643

Jessica Miller

Director, Rules Coordination Office

Health and Human Services Commission

Filed: December 11, 2023

