

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

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:

Chapter 88, State Long-Term Care Ombudsman 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 88, State Long-Term Care Ombudsman 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 88" 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The text of the rule sections being reviewed will not be published, but may be found in **Title 26, Part 1**, of the Texas Administrative Code on the Secretary of State's website.

TRD-202301921

Jessica Miller

Director, Rules Coordination Office

Health and Human Services Commission

Filed: May 25, 2023



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:

CHAPTER 711. INVESTIGATIONS OF INDIVIDUALS RECEIVING SERVICES FROM CERTAIN PROVIDERS

SUBCHAPTER A. INTRODUCTION

SUBCHAPTER C. DUTY TO REPORT

SUBCHAPTER E. CONDUCTING THE INVESTIGATION

SUBCHAPTER F. PROVISION OF SERVICES

SUBCHAPTER G. RELEASE OF REPORT AND FINDINGS

SUBCHAPTER J. APPEALING THE INVESTIGATION FINDING

SUBCHAPTER L. EMPLOYEE MISCONDUCT REGISTRY

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 711, INVESTIGATIONS OF INDIVIDUALS RECEIVING SERVICES FROM CERTAIN PROVIDERS, 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 26 TAC Chapter 711" 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 [https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=26&pt=1&ch=711](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=26&pt=1&ch=711).

TRD-202301920

Jessica Miller

Director, Rules Coordination Office

Health and Human Services Commission

Filed: May 25, 2023



Adopted Rule Reviews

Texas Alcoholic Beverage Commission

Title 16, Part 3

The Texas Alcoholic Beverage Commission (TABC) has completed its review of 16 TAC §§50.1, 50.3 - 50.5, 50.8, 50.12 - 50.20, 50.23, and 50.26 - 50.33, relating to Alcoholic Beverage Seller Server and Delivery Driver Training. This review was done pursuant to Texas Government Code §2001.039, which directs state agencies to review and consider for re adoption each of their rules. The proposed rule review was published in the April 14, 2023, issue of the *Texas Register* (48 TexReg 1973).

SUMMARY OF COMMENTS. TABC did not receive any comments on this rule review.

READOPTION OF RULES. After review, TABC finds that the reasons for adopting 16 TAC §§50.1, 50.3 - 50.5, 50.8, 50.12 - 50.20, 50.23,

and 50.26 - 50.33 continue to exist. Therefore, TABC readopts those rules.

TRD-202301922
James Person
General Counsel
Texas Alcoholic Beverage Commission
Filed: May 25, 2023



Texas Education Agency

Title 19, Part 2

The Texas Education Agency (TEA) adopts the review of 19 TAC Chapter 75, Curriculum, Subchapter AA, Commissioner's Rules Concerning Driver Education Standards of Operation for Public Schools, Education Service Centers, and Colleges or Universities, and Subchapter BB, Commissioner's Rules Concerning Provisions for Career and Technical Education, pursuant to Texas Government Code, §2001.039. TEA proposed the review of 19 TAC Chapter 75, Subchapters AA and BB, in the January 27, 2023 issue of the *Texas Register* (48 TexReg 418).

Relating to the review of 19 TAC Chapter 75, Subchapter AA, TEA finds that the reasons for adopting the rules continue to exist and readopts the rules. TEA received no comments related to the review. No changes are necessary as a result of the review.

Relating to the review of 19 TAC Chapter 75, Subchapter BB, TEA finds that the reasons for adopting the rules continue to exist and readopts the rules. TEA received no comments related to the review. In the future, TEA anticipates updating §75.1022 to clarify the types of certificates referenced and §76.1023 to update cross-references.

This concludes the review of 19 TAC Chapter 75.

TRD-202301946
Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
Filed: May 26, 2023

