

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.

Adopted Rule Reviews

Texas Board of Nursing

Title 22, Part 11

In accordance with Government Code §2001.039, the Texas Board of Nursing (Board) filed a notice of intention to review and consider for re-adoption, re-adoption with amendments, or repeal, the following chapters contained in Title 22, Part 11, of the Texas Administrative Code, pursuant to the 2022 rule review plan adopted by the Board at its April 2022 meeting, in the November 24, 2023, issue of the *Texas Register* (48 TexReg 6921).

Chapter 211. General Provisions, §§211.1 - 211.11

Chapter 217. Licensure, Peer Assistance, and Practice §§217.1 - 217.24

Chapter 219. Advanced Practice Registered Nurse Education §§219.1 - 219.13

The Board did not receive comment on the above rules. The Board has completed its review and has determined that the reasons for originally adopting the above rules continue to exist. The rules were also reviewed to determine whether they were obsolete, whether they reflected current legal and policy considerations and current procedures and practices of the Board, and whether they were in compliance with Texas Government Code Chapter 2001 (Texas Administrative Procedure Act). The Board finds that the rules are not obsolete, reflect current legal and policy considerations, current procedures and practices of the Board, and that the rules are in compliance with the Texas Administrative Procedure Act.

The Board readopts the rules in Chapters 211, 217, and 219 without changes, pursuant to the Texas Government Code §2001.039 and Texas Occupations Code §301.151, which authorizes the Board to adopt, enforce, and repeal rules consistent with its legislative authority under the Nursing Practice Act. This concludes the rule review of Chapter 211, 217, and 219 under the 2022 rule review plan adopted by the Board.

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James W. Johnston

General Counsel

Texas Board of Nursing

Filed: January 9, 2024

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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 371, Breast and Cervical Cancer Services

Notice of the review of this chapter was published in the November 17, 2023, issue of the *Texas Register* (48 TexReg 6752). HHSC received one comment concerning this chapter. A summary of the comment and HHSC's response follows.

Comment: One commenter with the American Cancer Society Cancer Action Network (ACS CAN) offered steadfast support of the Breast and Cervical Cancer Services (BCCS) program and stated that it is available to provide resources and support for the continuation of the vital services that BCCS provides.

Response: HHSC welcomes and appreciates the offer of support from ACS CAN.

HHSC has reviewed Chapter 371 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 371. Any amendments or repeals to Chapter 371 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 371 as required by the Texas Government Code, §2001.039.

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Jessica Miller

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Health and Human Services Commission

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