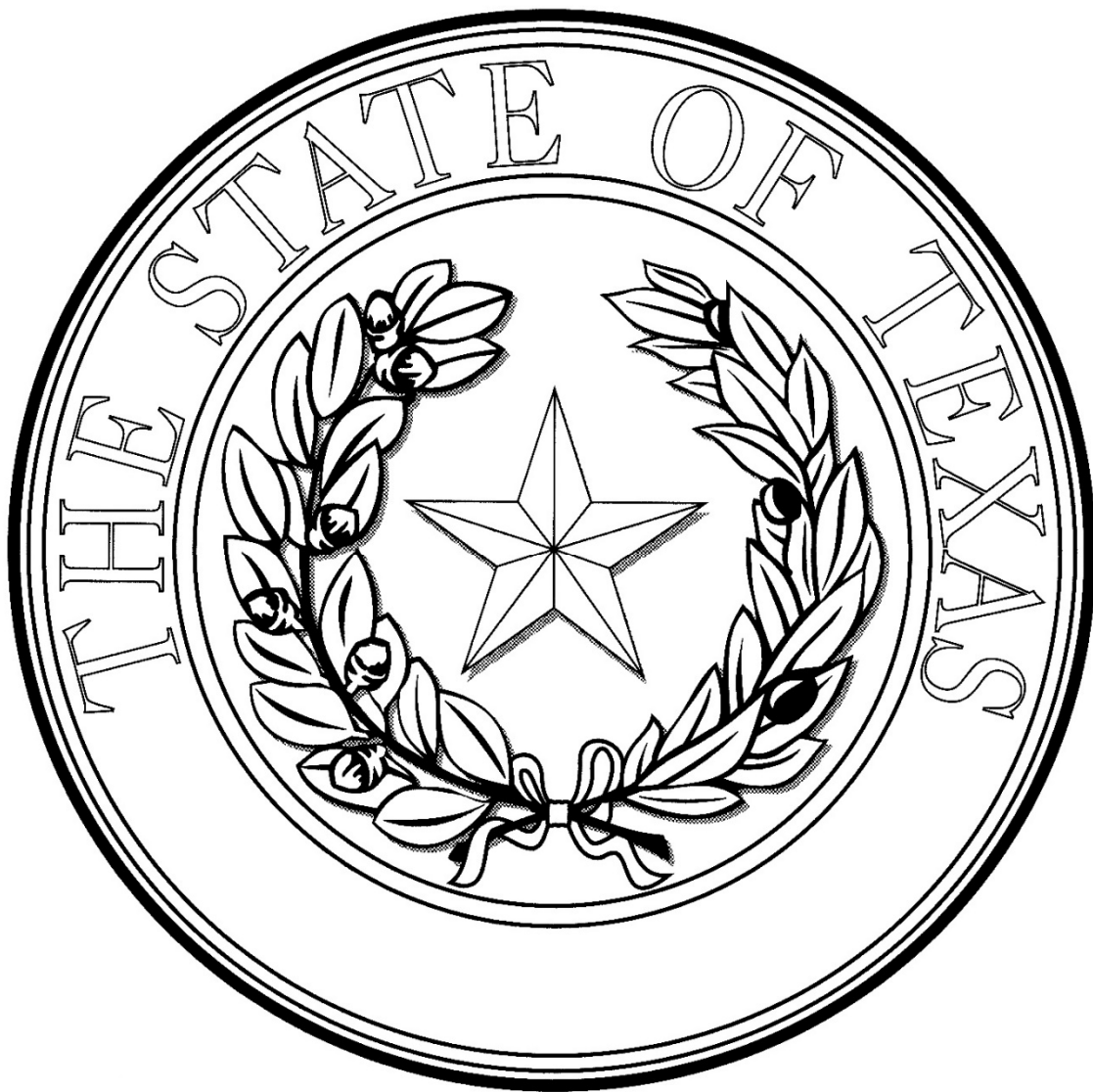

TEXAS REGISTER

Volume 50 Number 44

October 31, 2025

Pages 7079 – 7154



IN THIS ISSUE

GOVERNOR

Appointments	7083
Proclamation 41-4234	7083
Proclamation 41-4235	7083
Proclamation 41-4236	7084
Proclamation 41-4237	7084

PROPOSED RULES

TEXAS HEALTH AND HUMAN SERVICES COMMISSION

COORDINATED PLANNING AND DELIVERY OF HEALTH AND HUMAN SERVICES

1 TAC §351.851	7087
----------------------	------

TEXAS EDUCATION AGENCY

EDUCATIONAL PROGRAMS

19 TAC §102.1601	7089
------------------------	------

HEALTH AND SAFETY

19 TAC §103.1301	7093
------------------------	------

HEALTH AND HUMAN SERVICES COMMISSION

SUBSTANCE USE SERVICES

26 TAC §§321.1, 321.3, 321.5, 321.7	7097
26 TAC §§321.1, 321.3, 321.5, 321.7, 321.9, 321.11	7098

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

GENERAL PROVISIONS

37 TAC §151.58	7100
----------------------	------

CORRECTIONAL INSTITUTIONS DIVISION

37 TAC §152.3	7101
37 TAC §152.5	7102

SPECIAL PROGRAMS

37 TAC §159.19	7103
----------------------	------

WITHDRAWN RULES

TEXAS STATE BOARD OF EXAMINERS OF PROFESSIONAL COUNSELORS

PROFESSIONAL COUNSELORS

22 TAC §681.91	7105
22 TAC §681.93	7105

HEALTH AND HUMAN SERVICES COMMISSION

MINIMUM STANDARDS FOR CHILD-PLACING AGENCIES

26 TAC §749.4465	7105
------------------------	------

ADOPTED RULES

HEALTH AND HUMAN SERVICES COMMISSION

LICENSING

26 TAC §745.8301	7107
------------------------	------

MINIMUM STANDARDS FOR CHILD-PLACING AGENCIES

26 TAC §749.2472	7108
------------------------	------

26 TAC §749.4401, §749.4403	7108
-----------------------------------	------

26 TAC §§749.4421, 749.4423, 749.4425, 749.4427, 749.4429 ...	7109
---	------

26 TAC §§749.4441, 749.4443, 749.4445, 749.4447, 749.4449, 749.4451	7109
---	------

26 TAC §749.4461, §749.4463	7109
-----------------------------------	------

26 TAC §§749.4471, 749.4473, 749.4475, 749.4477, 749.4479, 749.4481, 749.4483, 749.4485, 749.4487, 749.4489, 749.4491, 749.4493	7110
---	------

26 TAC §§749.4501, 749.4503, 749.4505, 749.4507, 749.4509, 749.4511, 749.4513, 749.4515, 749.4517, 749.4519, 749.4521, 749.4523	7110
---	------

26 TAC §§749.4551, 749.4553, 749.4555, 749.4557, 749.4559, 749.4561, 749.4563, 749.4565, 749.4567, 749.4569, 749.4571, 749.4573, 749.4575, 749.4577, 749.4579, 749.4581	7111
---	------

TEXAS DEPARTMENT OF INSURANCE

GENERAL ADMINISTRATION

28 TAC §1.301, §1.302	7112
-----------------------------	------

28 TAC §1.1101	7112
----------------------	------

28 TAC §1.1901, §1.1904	7113
-------------------------------	------

TEXAS DEPARTMENT OF CRIMINAL JUSTICE

GENERAL PROVISIONS

37 TAC §151.51	7113
----------------------	------

CORRECTIONAL INSTITUTIONS DIVISION

37 TAC §152.25	7113
----------------------	------

TEXAS COMMISSION ON FIRE PROTECTION

STANDARDS FOR CERTIFICATION

37 TAC §§421.3, 421.5, 421.9, 421.11, 421.13, 421.15, 421.17 ...	7114
--	------

FIRE SERVICE INSTRUCTORS

37 TAC §§425.1, 425.3, 425.5, 425.7, 425.9, 425.11	7114
--	------

RULE REVIEW

Adopted Rule Review

Texas Juvenile Justice Department	7115
---	------

TABLES AND GRAPHICS

.....	7117
-------	------

IN ADDITION

Texas State Affordable Housing Corporation

RFP for Bond Counsel for Single Family & Multifamily Private Activity Bond Programs	7129
RFP for Underwriter Services.....	7129
Office of the Attorney General	
Texas Health and Safety Code and Texas Water Code Settlement Notice.....	7129
Office of Consumer Credit Commissioner	
Notice of Rate Ceilings.....	7129
Credit Union Department	
Application for a Merger or Consolidation.....	7130
Texas Commission on Environmental Quality	
Agreed Orders.....	7130
Enforcement Orders.....	7132
Notice of an Application for an Extension of Time to Complete Construction of a Project Authorized by Certificate of Adjudication Application No. 12-4355A	7133
Notice of District Petition - D-08132025-027	7134
Notice of District Petition - D-08282025-050	7134
Notice of District Petition - D-09102025-010	7135
Notice of Opportunity to Comment on an Agreed Order of Administrative Enforcement Actions	7135
Tenaha Wood Legal Notice.....	7136
Texas Health and Human Services Commission	
Correction of Error.....	7136
Public Notice.....	7136
Department of State Health Services	
Licensing Actions for Radioactive Materials	7140
Texas Department of Housing and Community Affairs	
Announcement of Public Comment Period for State of Texas 2025 CA-PER, Reporting on PY 2024	7146
Texas Department of Licensing and Regulation	
Scratch Ticket Game Number 2708 "\$200 GRAND"	7146
Texas Department of Transportation	
Public Transportation Division - Notice of Call for Projects.....	7153

THE GOVERNOR

As required by Government Code, §2002.011(4), the *Texas Register* publishes executive orders issued by the Governor of Texas. Appointments and proclamations are also published. Appointments are published in chronological order. Additional information on documents submitted for publication by the Governor's Office can be obtained by calling (512) 463-1828.

Appointments

Appointments for October 21, 2025

Appointed to the Texas Municipal Retirement System Board of Trustees for a term to expire February 1, 2027, Jaime Reyes, II of Melissa, Texas (replacing Tricia H. Mirabelle of Cedar Park who resigned).

Appointed to the Texas Municipal Retirement System Board of Trustees for a term to expire February 1, 2027, Pamela M. Williams of Hawley, Texas (replacing David A. Landis of Perryton who resigned).

Appointed to the Texas Municipal Retirement System Board of Trustees for a term to expire February 1, 2031, Larry B. "Bryan" Langley of Kyle, Texas (replacing Bill J. Philibert of Deer Park who resigned).

Appointed to the Texas Municipal Retirement System Board of Trustees for a term to expire February 1, 2031, Isaac J. Tawil of McAllen, Texas (replacing Robert B. "Bob" Scott of Garland who resigned).

Appointed to the Aerospace and Aviation Authority James A. "Jim" Allmon of Waco, Texas.

Appointed to the Aerospace and Aviation Authority Robert R. "Robin" Donnelly of Midland, Texas.

Appointed to the Aerospace and Aviation Authority John D. Guevara of Harlingen, Texas.

Appointed to the Aerospace and Aviation Authority Arturo Machuca of Friendswood, Texas.

Appointed to the Aerospace and Aviation Authority Summer R. Webb of Valentine, Texas.

Appointments for October 22, 2025

Appointed to the Board of the Texas Department of Motor Vehicles for a term to expire February 1, 2029, Mark K. Roesler of League City, Texas (replacing John M. Prewitt of Cypress who is deceased).

Appointed to the Board of the Texas Department of Motor Vehicles for a term to expire February 1, 2031, Charles E. Bacarisse of Houston, Texas (Mr. Bacarisse is being reappointed).

Appointed to the Board of the Texas Department of Motor Vehicles for a term to expire February 1, 2031, Chase E. Cooley of Dallas, Texas (replacing Laura "Stacey" Gillman of Houston whose term expired).

Appointed to the Board of the Texas Department of Motor Vehicles for a term to expire February 1, 2031, Tammy M. McRae of Conroe, Texas (Ms. McRae is being reappointed).

Greg Abbott, Governor

TRD-202503813



Proclamation 41-4234

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, the resignation of the Honorable Brandon Creighton, and its acceptance, have caused a vacancy in the Texas Senate for Senate District No. 4, which consists of Chambers County, and portions of Galveston, Harris, Jefferson, and Montgomery Counties; and

WHEREAS, Article III, Section 13(a) of the Texas Constitution and Section 203.002 of the Texas Election Code require that a special election be ordered upon such a vacancy; and

WHEREAS, Section 3.003(a)(3) and (b) of the Texas Election Code requires the special election to be ordered by proclamation of the governor; and

WHEREAS, Section 203.004(a) of the Texas Election Code provides that the special election generally must be held on the first uniform date occurring on or after the 36th day after the date the election is ordered; and

WHEREAS, pursuant to Section 41.001(a)(2) of the Texas Election Code, the first uniform election date occurring on or after the 36th day after the date the special election is ordered is Saturday, May 2, 2026;

NOW, THEREFORE, I, GREG ABBOTT, Governor of Texas, under the authority vested in me by the Constitution and Statutes of the State of Texas, do hereby order a special election to be held in Texas Senate District No. 4 on Saturday, May 2, 2026, for the purpose of electing a State Senator for Senate District No. 4 to serve out the unexpired term of the Honorable Brandon Creighton.

Candidates who wish to have their names placed on the special election ballot must file their applications with the Secretary of State no later than 5:00 p.m. on Tuesday, March 3, 2026, in accordance with Sections 1.006 and 201.054(a)(1) of the Texas Election Code.

Early voting by personal appearance shall begin on Monday, April 20, 2026, and end on Tuesday, April 28, 2026, in accordance with Section 85.001(e) of the Texas Election Code.

A copy of this order shall be mailed immediately to the county judges who preside over all counties wholly or partially contained within Texas Senate District No. 4, and all appropriate writs shall be issued, and all proper proceedings shall be followed to the end that said special election may be held to fill the vacancy in Texas Senate District No. 4 and its result proclaimed in accordance with law.

IN TESTIMONY WHEREOF, I have hereto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 16th day of October, 2025.

Greg Abbott, Governor

TRD-202503772



Proclamation 41-4235

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, GREG ABBOTT, Governor of the State of Texas, issued a disaster proclamation on July 8, 2022, as amended and renewed in a number of subsequent proclamations, certifying that exceptional drought conditions posed a threat of imminent disaster in several counties; and

WHEREAS, the Texas Division of Emergency Management has confirmed that those same drought conditions persist in certain counties in Texas;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby amend and renew the aforementioned proclamation and declare a disaster in Aransas, Atascosa, Bandera, Bee, Bell, Bexar, Blanco, Brewster, Burnet, Cameron, Clay, Collingsworth, Comal, Comanche, Culberson, Donley, El Paso, Foard, Frio, Gillespie, Grayson, Guadalupe, Hall, Hardeman, Hays, Hidalgo, Hudspeth, Jeff Davis, Jim Wells, Karnes, Kendall, Kerr, Kinney, Kleberg, Lavaca, Live Oak, Llano, Lubbock, Matagorda, McMullen, Medina, Midland, Nueces, Pecos, Presidio, Real, San Patricio, Terrell, Travis, Uvalde, Val Verde, Victoria, Wharton, Willacy, Williamson, Wilson, and Zapata Counties.

Pursuant to Section 418.017 of the Texas Government Code, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016 of the Texas Government Code, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to protect life or property threatened by this declared disaster, I hereby authorize the suspension of such statutes and rules for the duration of this declared disaster.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 19th day of October, 2025.

Greg Abbott, Governor

TRD-202503773



Proclamation 41-4236

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the aforementioned proclamation and declare a disaster for Aransas, Atascosa, Bee, Brewster, Brooks, Caldwell, Calhoun, Cameron, Chambers, Coleman, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, El Paso, Frio, Galveston, Goliad, Gonzales, Hidalgo, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Karnes, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Matagorda, Maverick, McCulloch, McLennan, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Jacinto, San Patricio, Schleicher, Shackelford, Starr, Sutton, Terrell, Throckmorton, Upton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Wilson, Zapata, and Zavala Counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 19th day of October, 2025.

Greg Abbott, Governor

TRD-202503771



Proclamation 41-4237

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, GREG ABBOTT, Governor of the State of Texas, issued a disaster proclamation on July 4, 2025, as amended and renewed in a subsequent proclamations, certifying that the heavy rainfall and flooding event that began on July 2, 2025, that included heavy rainfall and flash flooding, caused widespread and severe property damage, injury, or loss of life in several counties;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby amend and renew the aforementioned proclamation and declare a disaster in Bandera, Bexar, Burnet, Caldwell, Coke, Comal, Concho, Edwards, Gillespie, Guadalupe, Hamilton, Kendall, Kerr, Kimble, Kinney, Lampasas, Llano, Mason, Maverick, McCulloch, Menard, Real, Reeves, San Saba, Schleicher, Sutton, Tom Green, Travis, Uvalde, and Williamson Counties;

Pursuant to Section 418.017 of the Texas Government Code, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016 of the Texas Government Code, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. Any statutes that might prevent the transfer of bodies to families as soon as possible are hereby suspended, including Sections 264.514 and 264.515 of the Texas Family Code and Articles 49.04, 49.05, 49.10, and 49.25 of the Texas Code of Criminal Procedure. Further, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to protect life or property threatened by this declared disaster, I hereby authorize the suspension of such statutes and rules for the duration of this declared disaster.

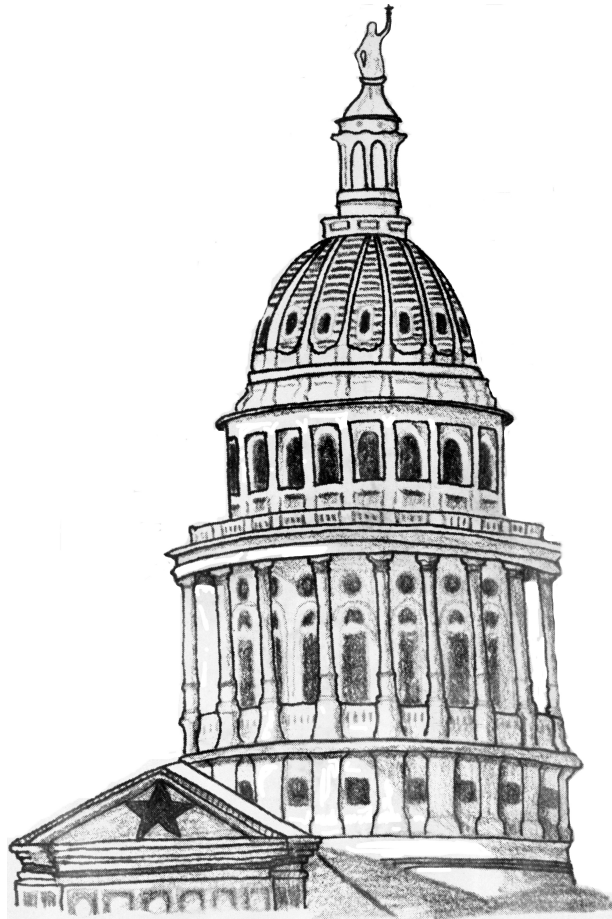
In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 19th day of October, 2025.

Greg Abbott, Governor

TRD-202503774





PROPOSED RULES

Proposed rules include new rules, amendments to existing rules, and repeals of existing rules. A state agency shall give at least 30 days' notice of its intention to adopt a rule before it adopts the rule. A state agency shall give all interested persons a reasonable opportunity to submit data, views, or arguments, orally or in writing (Government Code, Chapter 2001).

Symbols in proposed rule text. Proposed new language is indicated by underlined text. ~~Square brackets and strikethrough~~ indicate existing rule text that is proposed for deletion. "(No change)" indicates that existing rule text at this level will not be amended.

TITLE 1. ADMINISTRATION

PART 15. TEXAS HEALTH AND HUMAN SERVICES COMMISSION

CHAPTER 351. COORDINATED PLANNING AND DELIVERY OF HEALTH AND HUMAN SERVICES

SUBCHAPTER B. ADVISORY COMMITTEES

DIVISION 1. COMMITTEES

1 TAC §351.851

The executive commissioner of the Texas Health and Human Services Commission (HHSC) proposes new §351.851, concerning Interested Parties Advisory Group.

BACKGROUND AND PURPOSE

The purpose of the proposal is to comply with 42 Code of Federal Regulations (42 CFR) §447.203(b)(6), which requires HHSC to "establish an advisory group for interested parties to advise and consult on provider rates with respect to service categories under the Medicaid State Plan, 1915(c) waiver, and demonstration programs, as applicable, where payments are made to direct care workers specified in §441.311(e)(1)(ii) for the self-directed or agency-directed services found at §440.180(b)(2) through (4), and (6)."

New §351.851 establishes the Interested Parties Advisory Group (IPAG) to advise and consult with HHSC on current and proposed payment rates, Home and Community Based Services (HCBS) payment adequacy data as required by 42 CFR §441.311(e), and access to care metrics described in 42 CFR §441.311(d)(2), associated with services found in 42 CFR §440.180(b)(2) through (4), and (6).

The IPAG is intended to advise the executive commissioner and HHSC on certain current and proposed Medicaid provider payment rates to ensure the relevant Medicaid payment rates are sufficient to ensure Medicaid beneficiaries access to personal care, home health aide, homemaker, and habilitation services.

SECTION-BY-SECTION SUMMARY

Proposed new §351.851(a) provides the statutory authority for the IPAG.

Proposed new §351.851(b) describes the purpose of the IPAG.

Proposed new §351.851(c) lists the tasks performed by IPAG.

Proposed new §351.851(d) explains the reporting requirements.

Proposed new §351.851(e) describes the meeting requirements.

Proposed new §351.851(f) lists the membership composition and appointment terms.

Proposed new §351.851(g) describes how the chair and vice chair are selected and the terms of office.

Proposed new §351.851(h) explains the required training.

Proposed new §351.851(i) provides the travel reimbursement policy.

Proposed new §351.851(j) provides the abolishment date.

FISCAL NOTE

Trey Wood, Chief Financial Officer, has determined that for each year of the first five years that the rule will be in effect, enforcing or administering the rules does not have foreseeable implications relating to costs or revenues of state or local governments.

GOVERNMENT GROWTH IMPACT STATEMENT

HHSC has determined that during the first five years that the rule will be in effect:

- (1) the proposed rule will not create or eliminate a government program;
- (2) implementation of the proposed rule will not affect the number of HHSC employee positions;
- (3) implementation of the proposed rule will result in no assumed change in future legislative appropriations;
- (4) the proposed rule will not affect fees paid to HHSC;
- (5) the proposed rule will not create a new regulation;
- (6) the proposed rule will not expand, limit, or repeal existing regulation;
- (7) the proposed rule will not change the number of individuals subject to the rule; and
- (8) the proposed rule will not affect the state's economy.

SMALL BUSINESS, MICRO-BUSINESS, AND RURAL COMMUNITY IMPACT ANALYSIS

Trey Wood, Chief Financial Officer, has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities.

The rule does not apply to small or micro-businesses, or rural communities.

LOCAL EMPLOYMENT IMPACT

The proposed rule will not affect a local economy.

COSTS TO REGULATED PERSONS

Texas Government Code §2001.0045 does not apply to this rule because the rule does not impose a cost on regulated persons and is necessary to receive a source of federal funds or comply with federal law.

PUBLIC BENEFIT AND COSTS

Victoria Grady, Director of Provider Finance, has determined that for each year of the first five years the rule is in effect, the public benefit will be by allowing interested parties to provide advice on provider rates.

Trey Wood, Chief Financial Officer, has also determined that for the first five years the rule is in effect, there are no anticipated economic costs to persons who are required to comply with the proposed rule because any costs can be absorbed by HHSC to establish the Interested Parties Advisory Group.

TAKINGS IMPACT ASSESSMENT

HHSC has determined that the proposal does not restrict or limit an owner's right to the owner's property that would otherwise exist in the absence of government action and, therefore, does not constitute a taking under Texas Government Code §2007.043.

PUBLIC COMMENT

Written comments on the proposal, including information related to the cost, benefit, or effect of the proposed rule, as well as any applicable data, research, or analysis, may be submitted to Rules Coordination Office, P.O. Box 13247, Mail Code 4102, Austin, Texas 78711-3247, or street address 4601 West Guadalupe Street, Austin, Texas 78751; or emailed to HHSRulesCoordinationOffice@hhs.texas.gov.

To be considered, comments must be submitted no later than 31 days after the date of this issue of the *Texas Register*. Comments must be (1) postmarked or shipped before the last day of the comment period; (2) hand-delivered before 5:00 p.m. on the last working day of the comment period; or (3) emailed before midnight on the last day of the comment period. If the last day to submit comments falls on a holiday, comments must be postmarked, shipped, or emailed before midnight on the following business day to be accepted. When emailing comments, please indicate "Comments on Proposed Rule 25R053" in the subject line.

STATUTORY AUTHORITY

The new section is authorized by Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system; Texas Government Code §524.0005, which provides the executive commissioner of HHSC with broad rulemaking authority; Texas Human Resources Code §32.021 and Texas Government Code §532.0051, which provide HHSC with the authority to administer the federal medical assistance (Medicaid) program in Texas; and Texas Government Code §532.0057(a), which establishes HHSC as the agency responsible for adopting reasonable rules governing the determination of fees, charges, and rates for Medicaid payments under Texas Human Resources Code Chapter 32; and Texas Government Code §523.0203, which provides that the executive commissioner of HHSC shall establish and maintain advisory committees and adopt rules governing such advisory committees in compliance with Texas Government Code, Chapter 2110.

The new section affects Texas Government Code §§524.0151, 524.0005, 532.0051, 532.0057(a), 523.0203, and Chapter 2110. It also affects Texas Human Resources Code Chapter 32.

§351.851. Interested Party Advisory Group.

(a) Statutory authority. Interested Party Advisory Group (IPAG) is established under 42 CFR 447.203(b)(6) and is subject to §351.801 of this division (relating to Authority and General Provisions).

(b) Purpose. The IPAG advises the executive commissioner and Health and Human Services Commission (HHSC) on certain current and proposed Medicaid provider payment rates to ensure the relevant Medicaid payment rates are sufficient to ensure Medicaid beneficiaries access to personal care, home health aide, homemaker, and habilitation services.

(c) Tasks. The IPAG performs the following tasks:

(1) advises and consults with HHSC on current and proposed payment rates with respect to service categories under the Medicaid State plan, 1915(c) waiver, and demonstration programs, as applicable, where payments are made to the direct care workers based on current and proposed payment rates, Home and Community-Based Services (HCBS) payment adequacy data, and access to care metrics; and

(2) adopts bylaws to guide how the IPAG operates.

(d) Reporting requirements. HHSC will publish IPAG's recommendations within one month of the group's recommendation to the agency.

(e) Meetings.

(1) Open meetings. In accordance with the statute, the IPAG complies with the requirements for open meetings under Texas Government Code, Chapter 551, as if it were a governmental body.

(2) Frequency. The IPAG will meet at least every two years and no more than once annually.

(3) Quorum. A majority of all voting members constitutes a quorum for the purpose of transacting official business.

(f) Membership.

(1) The IPAG is composed of 12 members appointed by the executive commissioner. In selecting voting members to serve on the IPAG, HHSC considers the applicants' qualifications, background, interest in serving, and geographic location.

(A) Eleven voting members representing the following categories. The categories in clauses (i) through (iii) of this subparagraph must have at least one voting member each on the IPAG.

(i) Direct care workers.

(ii) Medicaid beneficiaries.

(iii) Medicaid beneficiaries' authorized representatives.

(iv) Other interested parties impacted by the service rates in question outlined in subsection (c)(1) of this section which may consist of:

(I) a rural Medicaid contracted provider who is contracted to provide HCBS services outlined in subsection (c)(1) of this section and who employs direct care workers;

(II) an urban Medicaid contracted provider who is contracted to provide HCBS services outlined in subsection (c)(1) of this section and who employs direct care workers;

(III) a provider who provides 1915(c) waiver services;

(IV) a provider who provides HCBS state plan services;

(V) an association or associations representing Medicaid providers who provide services outlined in subsection (c)(1) of this section;

(VI) an association or associations representing Medicaid beneficiaries who receive services outlined in subsection (c)(1) of this section; and

(VII) other disciplines with expertise in Medicaid finance, delivery, or access to care.

(B) One non-voting, ex officio member representing HHSC, who serves at the pleasure of the executive commissioner.

(2) Voting members are appointed for staggered terms so the terms of an equal or almost equal number of members expire on December 31 of each even-numbered year. Regardless of the term limit, a member serves until their replacement is appointed. This ensures there is membership representation to conduct IPAG business.

(A) If a vacancy occurs, the executive commissioner appoints a person to serve the unexpired portion of that term.

(B) Except as may be necessary to stagger terms, the term of each member is four years. A member may not serve more than two full terms.

(g) Officers. The IPAG selects a chair and a vice chair from among its members.

(1) The chair serves until January 1 of each even-numbered year. The vice chair serves until January 1 of each odd-numbered year.

(2) A member may serve as chair or vice chair for up to two terms in a row.

(h) Required training. Each member must complete training on relevant laws and rules, including this section and §351.801 of this division and Social Security Act §§1902, 1905, and 1915, 42 CFR §§440.1-440.395 and §§441.300-441.595; Texas Government Code Chapters 551, 552, and 2110; the HHS Ethics Policy; the Advisory Committee Member Code of Conduct; and other relevant HHS policies. Training will be provided by HHSC.

(i) Travel reimbursement. Unless allowed by the current General Appropriations Act, members are not paid to participate in the IPAG or reimbursed for travel to and from meetings.

(j) Abolishment date. The IPAG is required by federal regulation and will continue if the federal law requiring it remains in effect.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on October 14, 2025.

TRD-202503701

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Earliest possible date of adoption: November 30, 2025

For further information, please call: (512) 730-7475



TITLE 19. EDUCATION

PART 2. TEXAS EDUCATION AGENCY

CHAPTER 102. EDUCATIONAL PROGRAMS

SUBCHAPTER MM. COMMISSIONER'S

RULES CONCERNING SUPPLEMENTAL

SPECIAL EDUCATION SERVICES PROGRAM

19 TAC §102.1601

The Texas Education Agency (TEA) proposes an amendment to §102.1601, concerning the supplemental special education services program. The proposed amendment would clarify criteria for parent-directed services for students receiving special education services to align with the passage of House Bill (HB) 2 and Senate Bill (SB) 568, 89th Texas Legislature, Regular Session, 2025.

BACKGROUND INFORMATION AND JUSTIFICATION: Section 102.1601 establishes criteria for supplemental special education services. HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, changed the name of the program to Parent-Directed Services for Students Receiving Special Education Services (PDSES), so the section title would be updated to align with the new program name.

Proposed changes throughout the rule would add clarity to supplemental instructional materials and services.

The proposed amendment to subsection (a) would align with terminology updated by legislation.

The proposed amendment to subsection (c) would clarify eligibility criteria by adding that eligible students must be currently attending a public school and by repealing specifications about special education programs.

Proposed new subsection (e)(2)(C) would add that service providers must maintain their eligibility to offer services through the PDSES program and that they must complete an annual agreement. Additionally, the proposed new language would add that if they do not complete this process, they will be removed from the marketplace and must notify the program if they are no longer eligible to provide services.

The proposed amendment to subsection (f)(6) would add that parents can only appeal a PDSES eligibility decision during the annual appeal window and that failure to do so means they must reapply during a subsequent application window.

FISCAL IMPACT: Jennifer Alexander, associate commissioner and chief program officer for special population programs, reporting, and student support, has determined that for the first five-year period the proposal is in effect, there are no additional costs to state or local government, including school districts and open-enrollment charter schools, required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

TAKINGS IMPACT ASSESSMENT: The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

GOVERNMENT GROWTH IMPACT: TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would expand an existing regulation to clarify criteria for parent-directed services for students receiving special education services to align with the passage of HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not limit or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

PUBLIC BENEFIT AND COST TO PERSONS: Ms. Alexander has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be to clarify eligibility criteria for parents and service providers regarding PDSes. There is no anticipated economic cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: The proposal would have no data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: TEA requests public comments on the proposal, including, per Texas Government Code, §2001.024(a)(8), information related to the cost, benefit, or effect of the proposed rule and any applicable data, research, or analysis, from any person required to comply with the proposed rule or any other interested person. The public comment period on the proposal begins October 31, 2025, and ends December 1, 2025. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_\(TAC\)/Proposed_Commissioner_of_Education_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_(TAC)/Proposed_Commissioner_of_Education_Rules/). Public hearings will be conducted to solicit testimony and input on the proposed amendment at 9:30 a.m. on November 13 and 14, 2025. The public may participate in either hearing virtually by linking to the hearing <https://us02web.zoom.us/j/85888269023>. Anyone wishing to testify must be present at 9:30 a.m. and indicate to TEA staff their intent to comment and are encouraged to also send written testimony to sped@tea.texas.gov. Each hearing will conclude once all who have signed in have been given the opportunity to comment. Questions about the hearing should be directed to Derek Hollingsworth, Special Populations Policy and Compliance, Derek.Hollingsworth@tea.texas.gov.

STATUTORY AUTHORITY. The amendment is proposed under Texas Education Code (TEC), §29.041, as amended by House Bill (HB) 2, HB 6, and Senate Bill (SB) 568, 89th Texas Legislature, Regular Session, 2025, which establishes requirements for providing a supplemental special education services (SSES) and instructional materials program for certain public school students receiving special education services and requires the commissioner by rule to determine, in accordance with TEC, Chapter 29, Subchapter A-1, the criteria for providing a program to provide supplemental special education services and instructional materials for eligible public school students; TEC, §29.042, as amended by HB 1926, 88th Texas Legislature, Regular Session, 2023, and HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, which requires the commissioner to determine requirements related to the establishment and administration of the SSES program; TEC, §29.043, which requires the commissioner to establish an application process for the SSES program; TEC, §29.044, which requires the commissioner to determine eligibility criteria for the approval of an application submitted under TEC, §29.043; TEC, §29.045, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, which requires the commissioner to determine requirements for students meeting eligibility criteria and requirements for assigning and maintaining accounts under TEC, §29.042(b); TEC, §29.046, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, which requires the commissioner to determine requirements and restrictions related to account use for accounts assigned to students under TEC, §29.045; TEC, §29.047, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, which requires the commissioner to determine requirements related to criteria and application for agency-approved providers and vendors; TEC, §29.0475, as added by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, which requires the commissioner to determine requirements for a program participant, provider, and vendor autonomy of supplemental instructional materials; TEC, §29.048, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, which requires the commissioner to determine responsibilities for the admission, review, and dismissal committee; TEC, §29.0485, as added by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, which establishes that the determination of the commissioner is final, notwithstanding TEC, §7.057; and TEC, §29.049, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, which requires that the commissioner adopt rules as necessary to establish and administer the SSES and instructional materials program.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code (TEC), §29.041, as amended by House Bill (HB) 2, HB 6, and Senate Bill (SB) 568, 89th Texas Legislature, Regular Session, 2025; §29.042, as amended by HB 1926, 88th Texas Legislature, Regular Session, 2023, and HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025; §29.043; §29.044; §29.045, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025; §29.046, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025; §29.047, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025; §29.0475, as added by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025; §29.048, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025; §29.0485, as added by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025; and §29.049, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025.

§102.1601. Parent-Directed Services for [Supplemental Special Education Services and Instructional Materials Program for Certain Public Schools] Students Receiving Special Education Services.

(a) The Texas Education Agency (TEA) will administer the Parent-Directed Special Education Services (PDSSES) grant program in accordance with [Supplemental Special Education Services Program described in] Texas Education Code (TEC), Chapter 29, Subchapter A-1 ~~under the name Parent-Directed Special Education Services (PDSSES). Any reference to the Supplemental Special Education Services Program, supplemental special education services, supplemental special education instructional materials, or SSES in state law and TEA materials is to be considered synonymous with the PDSSES program].~~

(b) Definitions. For the purposes of this section, the following definitions apply.

(1) Eligible student--A student who meets all program eligibility criteria under TEC, §29.044, and this section.

(2) Management system--The online system provided by the marketplace vendor to allow for account creation, management of funds, and access to the marketplace.

(3) Marketplace--The virtual platform where parents and guardians with program funds may purchase goods and services.

(4) Marketplace vendor--The vendor chosen by TEA to create an online marketplace for the use of program funds.

(5) Supplemental [Parent-directed special education] instructional materials (materials)--This term has the meaning defined in TEC, §29.041, and specifically excludes materials that are provided as compensatory services or as a means of providing a student with a free appropriate public education.

(6) Supplemental [Parent-directed special education] services (services)--This term has the meaning defined in TEC, §29.041, and specifically excludes services that are provided as compensatory services or as part of [a means of providing a student with] a free appropriate public education, as well as payment for [or] an independent educational evaluation (IEE) if the parent has asked for an IEE at public expense.

(7) Program--The PDSSES grant program described by [This term has the meaning in] TEC, Chapter 29, Subchapter A-1 ~~as well as the PDSSES program].~~

(c) Eligibility criteria. All students currently enrolled in and attending a Texas public school district or open-enrollment charter school who are served under an individualized education program (IEP) in a special education program ~~including, but not limited to, students in early childhood special education, prekindergarten, Kindergarten-Grade 12, and 18-and-over transition programs;~~ are eligible for the program with the following exclusions:

(1) students who do not reside in Texas or move out of the state, not including military-connected students entitled to enroll or remain enrolled while outside the state; or

(2) students who previously received a program grant, beginning with the program's launch in the 2020-2021 school year.

(d) Awards.

(1) Parents and guardians of eligible students will receive grants of \$1,500 as long as funds are available for use in the purchasing of supplemental materials and services through the curated marketplace of educational goods and services. Parents and guardians may receive only one grant for each eligible student.

(2) Grants will be prioritized for a [A] student enrolled in a school district or open-enrollment charter school that is eligible for a compensatory education allotment under TEC, §48.104 ~~will be prioritized to receive a grant award].~~

(3) ~~[(2)]~~ TEA will use Public Education Information Management System (PEIMS) codes submitted by school districts and open-enrollment charter schools by each school year's TEA-established fall data submission deadline to verify eligibility in order to award accounts for the program.

(e) Establishment of the marketplace.

(1) In accordance with TEC, §29.042(d), TEA shall award an education service center (ESC) with an operational and school district support grant, which may include, but is not limited to, the following operational requirements:

(A) writing and administering a contract for a vendor for the program marketplace that curates the content in its marketplace for educational relevancy. In accordance with the Family Educational Rights and Privacy Act, the contract must require the vendor for the marketplace to protect and keep confidential students' personally identifiable information, which may not be sold or monetized;

(B) providing technical assistance to parents and guardians throughout the program process;

(C) serving as the main point of contact for the selected marketplace vendor to ensure eligible student accounts are appropriately spent down;

(D) approving or denying all purchases from the program marketplace, including communication with parents and guardians about purchase order requests; and

(E) approving or denying all potential service providers.

(2) Providers of supplemental materials and services may apply to be listed in the marketplace. To become an approved marketplace service provider, an applicant must sign a service provider agreement and comply with licensing, safety, and employee background checks.

(A) Organization service providers are required to provide their Texas Tax ID for TEA to verify the validity of the organization.

(B) Individual service providers are required to provide proof of credentials and licensing in accordance with the individual service provider categories established by TEA.

(C) Service providers must maintain their eligibility to offer services under the PDSSES service provider agreement and must complete an eligibility confirmation process annually. Failure to complete this process will result in removal from the marketplace. If a provider becomes ineligible, they must notify the program so they can be removed from the marketplace.

(3) TEA shall provide a process for the application and approval of vendors to the marketplace.

(4) TEA and the marketplace vendor shall provide a curated list of vendors through which parents and guardians can purchase educationally relevant materials. The established marketplace vendor shall be responsible for ensuring the vendors comply with program parameters as they relate to the marketplace and be responsible for all communications with marketplace vendors.

(f) Application process for grant on behalf of a student.

(1) TEA is responsible for the application process and the determination of which applicants are approved for program grants.

(2) Parents and guardians who would like to apply on behalf of their eligible students must complete the online application.

(3) TEA will establish an annual application window. If applications are submitted during the window for students who would not show as eligible under the fall PEIMS data collection used by TEA under subsection (d)(3) [(d)(2)] of this section, a parent may [must] submit evidence of eligibility when submitting the application.

(4) Upon approval of the application:

(A) TEA shall send contact information for parents and guardians of eligible students in a secure manner to the online marketplace vendor for account creation and distribution;

(B) parents and guardians of eligible students will receive an email to the same email address provided during application from the marketplace vendor with information on how to access their accounts; and

(C) parents and guardians will be awarded an account of \$1,500, depending on availability of funds, per eligible student to be used to purchase supplemental services and materials.

(5) Parents and guardians of students who [are deemed not eligible or who] are determined to have violated account use restrictions under subsection (i) of this section will receive notification from TEA and be provided an opportunity to appeal the [denial or] account use determination. TEA shall exercise its discretion to determine the validity of any such appeal.

(6) A parent or guardian of a student who is deemed not eligible because the student cannot be verified through the PEIMS process described under subsection (d)(3) [(d)(2)] of this section or because the parent or guardian did not submit the necessary documentation during the designated application window for a student who became eligible after the timeline described in subsection (d)(3) [(d)(2)] of this section may choose to appeal this decision during the annual appeal window. If a parent or guardian does not appeal, they must reapply during a subsequent [but before the end of the application window must wait until the following] school year's application window [to reapply].

(7) If necessary, eligible students will be placed on a waitlist and parents and guardians will be notified. When additional funds become available, priority will be [given in the order established by the waitlist and] in accordance with subsection (d) of this section.

(8) TEA shall maintain confidentiality of students' personally identifiable information in accordance with the Family Educational Rights and Privacy Act and, to the extent applicable, the Health Insurance Portability and Accountability Act.

(g) Approval of application; assignment of account.

(1) TEA shall set aside funds for a pre-determined number of accounts of \$1,500 to be awarded to parents and guardians of eligible students.

(2) Parents and guardians with more than one eligible student may apply and receive a grant for each eligible student.

(3) Approved parents and guardians will receive an award notification email from the marketplace vendor and may begin spending account funds upon completion of account setup.

(4) Parents and guardians who receive an award notification but whose student no longer qualifies under subsection (c) of this section shall notify TEA of their student's change in eligibility status.

(5) Within 30 calendar days from receiving an award notification email, parents and guardians must:

(A) access or log in to their account or the account may be subject to reclamation; and

(B) agree to and sign the parental agreement.

(h) Use of funds. Use of program funds provided to parents and guardians are limited as follows.

(1) Only supplemental materials and services available through the marketplace of approved providers and vendors may be purchased with program funds.

(2) Supplemental materials [Materials] and services must directly benefit the eligible student's educational needs.

(3) Supplemental materials [Materials] shall be used in compliance with TEA purchasing guidelines.

(4) If TEA approves vendors for a category of material under subsection (e) of this section, materials must be purchased from the TEA-approved vendor for that category of material. If TEA does not establish criteria for a category of materials, funds in a student's account may be used to purchase the materials from any vendor.

(5) The contracted ESC has full authority to reject or deny any purchase.

(6) Parents and guardians may not use program funds for reimbursement of goods or services obtained outside of the marketplace. Program funds shall not be paid directly to parents or guardians of eligible students.

(i) Account use restrictions. TEA may, subject to the appeal process referenced in subsection (f)(5) of this section, close or suspend accounts and reclaim a portion or all of the funds from accounts in the marketplace if:

(1) the supplemental materials or services that parents or guardians attempt to purchase are not educational in nature or are deemed to be in violation of the purchasing guidelines set forth by TEA;

(2) it is determined that the supplemental materials or services purchased do not meet the definitions in subsection (b)(5) and (6) of this section;

(3) the program parental agreement is not signed within 30 calendar days of receipt of account email from the marketplace vendor; or

(4) a student no longer meets the eligibility criteria set out in subsection (c) of this section.

(j) Requirements to provide information. School districts and open-enrollment charter schools shall notify families of the program and, unless the school district or charter school has verified that a parent has already received or applied for a program grant, shall provide the following at the student's admission, review, and dismissal (ARD) committee meeting:

(1) instructions and resources on accessing the online accounts, including the application window established by TEA; and

(2) information about the types of supplemental goods and services that are available through the program grant.

(k) Restrictions. A student's ARD committee may not consider a student's current or anticipated eligibility for any materials or services that may be provided under this section when developing or

revising a student's IEP, when determining a student's educational setting, or in the provision of a free appropriate public education.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on October 20, 2025.

TRD-202503760

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Earliest possible date of adoption: November 30, 2025

For further information, please call: (512) 475-1497



CHAPTER 103. HEALTH AND SAFETY

SUBCHAPTER DD. COMMISSIONER'S RULES CONCERNING VIDEO SURVEILLANCE OF CERTAIN SPECIAL EDUCATION SETTINGS

19 TAC §103.1301

The Texas Education Agency (TEA) proposes an amendment to §103.1301, concerning video surveillance of certain special education settings. The proposed amendment would replace the term "self-contained classroom" with "special education classroom" and clarify the definitions for classroom settings in accordance with House Bill (HB) 2, 89th Texas Legislature, Regular Session, 2025.

BACKGROUND INFORMATION AND JUSTIFICATION: Section 103.1301 establishes criteria for video surveillance of special education settings.

HB 2, 89th Texas Legislature, Regular Session, 2025, updated Texas Education Code (TEC), §29.022, to replace the term "self-contained classroom" with "special education classroom" and added a definition for "special education classroom or other special education setting."

The proposed amendment would implement HB 2 by aligning terminology and clarifying in subsection (b)(4) the definition of a special education classroom or other special education setting.

In addition, a cross reference to 19 TAC §89.1053, Procedures for Use of Restraint and Time-Out, would be added, and the reference to another administrative rule would be updated.

FISCAL IMPACT: Jennifer Alexander, associate commissioner and chief program officer for special population programs, reporting, and student support, has determined that for the first five-year period the proposal is in effect, there are no additional costs to state or local government, including school districts and open-enrollment charter schools, required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural commu-

nities; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

TAKINGS IMPACT ASSESSMENT: The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

GOVERNMENT GROWTH IMPACT: TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would expand an existing regulation by aligning terminology and updating terminology and definitions to align with legislation.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not limit or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

PUBLIC BENEFIT AND COST TO PERSONS: Ms. Alexander has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be to clarify video surveillance requirements for special education settings. There is no anticipated economic cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: The proposal would have no data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: TEA requests public comments on the proposal, including, per Texas Government Code, §2001.024(a)(8), information related to the cost, benefit, or effect of the proposed rule and any applicable data, research, or analysis, from any person required to comply with the proposed rule or any other interested person. The public comment period on the proposal begins October 31, 2025, and ends December 1, 2025. A request for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the commissioner of education not more than 14 calendar days after notice of the proposal has been published in the *Texas Register* on October 31, 2025. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_\(TAC\)/Proposed_Commissioner_of_Education_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_(TAC)/Proposed_Commissioner_of_Education_Rules/).

STATUTORY AUTHORITY. The amendment is proposed under Texas Education Code (TEC), §29.022, as amended by House Bill 2, 89th Texas Legislature, Regular Session, 2025, which establishes criteria for video surveillance of special education settings. TEC, §29.022(k), allows the commissioner to adopt rules to implement and administer the section, including rules regard-

ing the special education classrooms and other special education settings to which the section applies.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code, §29.022, as amended by House Bill 2, 89th Texas Legislature, Regular Session, 2025.

§103.1301. *Video Surveillance of [Certain] Special Education Settings.*

(a) Requirement to implement. In order to promote student safety, on written request by a parent, school district board of trustees, governing body of an open-enrollment charter school, principal, assistant principal, or staff member, as authorized by Texas Education Code (TEC) §29.022(a-1), a school district or an open-enrollment charter school must provide video equipment to campuses in accordance with TEC, §29.022, and this section. Campuses that receive video equipment must place, operate, and maintain video cameras in special education [self-contained] classrooms or other special education settings in accordance with TEC, §29.022, and this section.

(b) Definitions. For purposes of TEC, §29.022, and this subchapter, the following terms have the following meanings.

(1) "Parent" [Parent] means a person described in TEC, §26.002, whose child receives special education and related services in one or more special education [self-contained] classrooms or other special education settings. Parent also means a student who receives special education and related services in one or more special education [self-contained] classrooms or other special education settings and who is 18 years of age or older or whose disabilities of minority have been removed for general purposes under Texas Family Code, Chapter 31, unless the student has been determined to be incompetent or the student's rights have been otherwise restricted by a court order.

(2) "Staff member" [Staff member] means a teacher, a related service provider, a paraprofessional, a counselor, or an educational aide assigned to work in a special education [self-contained] classroom or other special education setting.

(3) "Open-enrollment charter school" [Open-enrollment charter school] means a charter granted to a charter holder under TEC, §12.101 or §12.152, identified with its own county district number.

(4) "Special education classroom" or "other special education setting" [Self-contained classroom] means a classroom or other setting on a regular school campus (i.e., a campus that serves students in general education and students receiving [in] special education services) or on a separate campus (i.e., a campus that serves only students receiving special education services) of a school district or an open-enrollment charter school; including a room attached to the classroom used for time-out, but not including a classroom that is a resource room instructional arrangement under TEC, §42.151; in which a majority of the students in regular attendance spend on average less than 50% of their instructional day in a general education classroom or setting. [are provided special education and related services for at least 50 percent of the instructional day and have one of the following instructional arrangements/settings described in the student attendance accounting handbook adopted under §129.1025 of this title (relating to Adoption by Reference: Student Attendance Accounting Handbook):]

[(A) self-contained (mild/moderate/severe) regular campus;]

[(B) full-time early childhood (preschool program for children with disabilities) special education setting;]

[(C) residential care and treatment facility--self-contained (mild/moderate/severe) regular campus;]

[(D) residential care and treatment facility--full-time early childhood special education setting;]

[(E) off home campus--self-contained (mild/moderate/severe) regular campus; or]

[(F) off home campus--full-time early childhood special education setting.]

[(5) Other special education setting means a classroom on a separate campus (i.e., a campus that serves only students who receive special education and related services) of a school district or open-enrollment charter school, including a room attached to the classroom or setting used for time-out, in which a majority of the students in regular attendance are provided special education and related services; are assigned to the setting for at least 50 percent of the instructional day, and have one of the following instructional arrangements/settings described in the student attendance accounting handbook adopted under §129.1025 of this title:]

[(A) residential care and treatment facility--separate campus; or]

[(B) off home campus--separate campus.]

(5) [(6)] "Video camera" [Video camera] means a video surveillance camera with audio recording capabilities.

(6) [(7)] "Video equipment" [Video equipment] means one or more video cameras and any technology and equipment needed to place, operate, and maintain video cameras as required by TEC, §29.022, and this section. Video equipment also means any technology and equipment needed to store and access video recordings as required by TEC, §29.022, and this section.

(7) [(8)] "Incident" [Incident] means an event or circumstance that:

(A) involves alleged "abuse" or "neglect," as those terms are described in Texas Family Code, §261.001, of a student by a staff member of the school district or charter school or alleged "physical abuse" or "sexual abuse," as those terms are described in Texas Family Code, §261.410, of a student by another student; and

(B) allegedly occurred in a special education [self-contained] classroom or other special education setting in which video surveillance under TEC, §29.022, and this section is conducted.

(8) [(9)] "School business day" [School business day] means a day that campus, school district, or open-enrollment charter school administrative offices are open.

(9) [(10)] "Time-out" [Time-out] has the meaning assigned by TEC, §37.0021.

(c) Exclusions. A school district or an open-enrollment charter school is not required to provide video equipment to a campus of another district or charter school or to a nonpublic school. In addition, the Texas School for the Deaf, the Texas School for the Blind and Visually Impaired, the Texas Juvenile Justice Department, and any other state agency that provides special education and related services to students are not subject to the requirements in TEC, §29.022, and this section.

(d) Use of funds. A school district or an open-enrollment charter school may solicit and accept gifts, grants, and donations from any person to implement the requirements in TEC, §29.022, and this section. A district or charter school is not permitted to use Individuals with Disabilities Education Act, Part B, funds or state special education funds to implement the requirements of TEC, §29.022, and this section.

(e) Dispute resolution. The special education dispute resolution procedures in 34 Code of Federal Regulations, §§300.151-300.153 and 300.504-300.515, do not apply to complaints alleging that a school district or an open-enrollment charter school has failed to comply with TEC, §29.022, and/or this section. Complaints alleging violations of TEC, §29.022, and/or this section must be addressed through the district's or charter school's local grievance procedures or other dispute resolution channels.

(f) Regular school year and extended school year services. TEC, §29.022, and this section apply to video surveillance during the regular school year and during extended school year services.

(g) Policies and procedures. Each school district board of trustees and open-enrollment charter school governing body must adopt written policies relating to the placement, operation, and maintenance of video cameras under TEC, §29.022, and this section. At a minimum, the policies must include:

(1) a statement that video surveillance is for the purpose of promoting student safety in special education [certain self-contained] classrooms and other special education settings;

(2) information on how a person may appeal an action by the school district or open-enrollment charter school that the person believes to be in violation of this section or a policy adopted in accordance with this section, including the appeal and expedited review processes under §103.1303 of this title (relating to Commissioner's Review of Actions Concerning Video Cameras in Special Education Settings) and the appeals process under TEC, §7.057;

(3) a requirement that the school district or open-enrollment charter school provide a response to a request made under this section not later than the seventh school business day after receipt of the request by the person to whom it must be submitted under TEC, §29.022(a-3), that authorizes the request or states the reason for denying the request;

(4) except as provided by paragraph (6) of this subsection, a requirement that a school or campus begin operation of a video camera in compliance with this section not later than the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the request is authorized unless the Texas Education Agency (TEA) grants an extension of time;

(5) a provision permitting the parent of a student whose admission, review, and dismissal committee has determined that the student's placement for the following school year will be in a classroom or other special education setting in which a video camera may be placed under this section to make a request for the video camera by the later of:

(A) the date on which the current school year ends; or

(B) the 10th school business day after the date of the placement determination by the admission, review, and dismissal committee;

(6) a requirement that, if a request is made by a parent in compliance with paragraph (5) of this subsection, unless [the] TEA grants an extension of time, a school or campus begin operation of a video camera in compliance with this section not later than the later of:

(A) the 10th school day of the fall semester; or

(B) the 45th school business day, or the first school day after the 45th school business day if that day is not a school day, after the date the request is made;

(7) the procedures for requesting video surveillance and the procedures for responding to a request for video surveillance;

(8) the procedures for providing advanced written notice to the campus staff and the parents of the students assigned to a special education [self-contained] classroom or other special education setting that video and audio surveillance will be conducted or cease in the classroom or setting, including procedures for notice, in compliance with TEC, §29.022(b), of the opportunity to request continued video and audio surveillance if video and audio surveillance will otherwise cease;

(9) a requirement that video cameras be operated at all times during the instructional day when one or more students are present in a special education [self-contained] classroom or other special education setting in which video cameras are placed;

(10) a statement regarding the personnel who will have access to video equipment or video recordings for purposes of operating and maintaining the equipment or recordings;

(11) a requirement that a campus continue to operate and maintain any video camera placed in a special education [self-contained] classroom or other special education setting for as long as the classroom or setting continues to satisfy the requirements in TEC, §29.022(a), for the remainder of the school year in which the school or campus received the request, unless the requestor withdraws the request in writing;

(12) a requirement that video cameras placed in a special education [self-contained] classroom or other special education setting be capable of recording video and audio of all areas of the classroom or setting, except that no visual monitoring of bathrooms and areas in which a student's clothes are changed may occur. Incidental visual coverage of the inside of a bathroom or any area of the classroom or other special education setting in which a student's clothes are changed is permitted only to the extent that such coverage is the result of the layout of the classroom or setting. Audio recording of the inside of a bathroom or any area of the classroom or other special education setting in which a student's clothes are changed is required;

(13) a statement that video recordings must be retained for at least three months after the date the video was recorded and that video recordings will be maintained in accordance with the requirements of TEC, §29.022(e-1), when applicable;

(14) a statement that the regular or continual monitoring of video is prohibited and that video recordings must not be used for teacher evaluation or monitoring or for any purpose other than the promotion of student safety;

(15) at the school district's or open-enrollment charter school's discretion, a requirement that campuses post a notice at the entrance of any special education [self-contained] classroom or other special education setting in which video cameras are placed stating that video and audio surveillance are conducted in the classroom or setting;

(16) the procedures for reporting an allegation to the school district, charter school, or school that an incident occurred in a special education [self-contained] classroom or other special education setting in which video surveillance under TEC, §29.022, and this section is conducted;

(17) the local grievance procedures for filing a complaint alleging violations of TEC, §29.022, and/or this section; and

(18) a statement that video recordings made under TEC, §29.022, and this section are confidential and a description of the limited circumstances under which the recordings may be viewed.

(h) Confidentiality of video recordings. A video recording made under TEC, §29.022, and this section is confidential and may only

be released and/or viewed by the following individuals, to the extent permitted or required by TEC, §29.022(i), and to the extent not limited by the Family Educational Rights and Privacy Act of 1974 (FERPA) or other law:

(1) a staff member or a parent of a student involved in an incident described in subsection (b)(7) [(b)(8)] of this section that is documented by a video recording for which an incident has been reported to the district, charter school, or school;

(2) appropriate Texas Department of Family and Protective Services personnel as part of an investigation under Texas Family Code, §261.406;

(3) a peace officer, school nurse, or administrator of a school district, charter school, or school trained in de-escalation and restraint techniques as provided by §89.1053 of this title (relating to Procedures for Use of Restraint and Time-Out) [commissioner rule], or a human resources staff member designated by the school district's board of trustees or open-enrollment charter school's governing body in response to a report or an investigation of an incident described in subsection (b)(7) [(b)(8)] of this section; or

(4) appropriate TEA or State Board for Educator Certification personnel or agents as part of an investigation.

(i) Exception to restrictions on viewing. A contractor or employee performing job duties relating to the installation, operation, or maintenance of video equipment or the retention of video recordings who incidentally views a video recording does not violate subsection (h) of this section.

(j) Child abuse and neglect reporting. If a person described in subsection (h)(3) or (4) of this section views a video recording and has cause to believe that the recording documents possible abuse or neglect of a child under Texas Family Code, Chapter 261, the person must submit a report to the Texas Department of Family and Protective Services or other authority in accordance with the local policy adopted under §103.1401 [§61.1051] of this title (relating to Reporting Child Abuse or [and] Neglect, Including Trafficking of a Child) and Texas Family Code, Chapter 261.

(k) Disciplinary actions and legal proceedings. If a person described in subsection (h)(2), (3), or (4) of this section views a video recording and believes that it documents a possible violation of school district, open-enrollment charter school, or campus policy, the person may allow access to the recording to appropriate legal and human resources personnel of the district or charter school to the extent not limited by FERPA or other law. A recording believed to document a possible violation of school district, open-enrollment charter school, or campus policy relating to the neglect or abuse of a student may be used in a disciplinary action against district or charter school personnel and must be released in a legal proceeding at the request of a parent of the student involved in the incident documented by the recording. A recording believed to document a possible violation of school district, open-enrollment charter school, or campus policy relating to the neglect or abuse of a student must be released for viewing by the district or charter school employee who is the subject of the disciplinary action at the request of the employee.

(l) Access rights. Subsections (j) and (k) of this section do not limit the access of a student's parent to an educational record of the student under FERPA or other law. To the extent any provisions in TEC, §29.022, and this section conflict with FERPA or other federal law, federal law prevails.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on October 20, 2025.

TRD-202503759

Cristina De La Fuente Valadez

Director, Rulemaking

Texas Education Agency

Earliest possible date of adoption: November 30, 2025

For further information, please call: (512) 475-1497

TITLE 26. HEALTH AND HUMAN SERVICES

PART 1. HEALTH AND HUMAN SERVICES COMMISSION

CHAPTER 321. SUBSTANCE USE SERVICES SUBCHAPTER A. PREVENTION

The executive commissioner of the Texas Health and Human Services Commission (HHSC) proposes the repeal of §321.1, concerning Purpose; §321.3, concerning Application; §321.5, concerning Definitions; and §321.7, concerning Program Description, and new §321.1, concerning Purpose; §321.3, concerning Application; §321.5, concerning Definitions; §321.7, concerning General Program Requirements; §321.9, concerning Program Staffing; and §321.11, concerning Program Service Delivery.

BACKGROUND AND PURPOSE

The purpose of the proposal is to replace the current rules in Title 26, Texas Administrative Code Chapter 321, Subchapter A relating to Substance Use Prevention, with new rules that clarify provider requirements related to training, staffing, written policies and procedures, screening tools, and other requirements that inform substance use prevention service delivery.

SECTION-BY-SECTION SUMMARY

The proposed repeal of §321.1 deletes the rule as no longer necessary, because the content of the rule is outdated.

Proposed new §321.1 describes the requirements for substance use prevention services providers to implement the primary prevention strategies.

The proposed repeal of §321.3 deletes the rule as no longer necessary, because the content of the rule is outdated.

Proposed new §321.3 clarifies that the rules apply to HHSC providers delivering substance use prevention services.

The proposed repeal of §321.5 deletes the rule as no longer necessary, because proposed new §321.5 contains the definitions used in the proposed new rules.

Proposed new §321.5 contains key terms and their definitions needed to align with the proposed new rules.

The proposed repeal of §321.7 deletes the rule because the content of the rule has been added to proposed new rule §321.11.

Proposed new §321.7 describes provider requirements and the prevention strategies that providers must implement. The proposed new rules clarify provider responsibilities when implementing substance use services including the need for formal

agreements, operating in accordance with required policies and procedures, and the ability to screen for additional services.

Proposed new §321.9 sets standards for providers regarding sufficient staffing levels and certification requirements for staff.

Proposed new §321.11 describes prevention program service delivery requirements for each of the five prevention program types: universal prevention programs, selective prevention programs, indicated prevention programs, community coalition partnership programs, and prevention resource centers.

FISCAL NOTE

Trey Wood, HHSC Chief Financial Officer, has determined that for each year of the first five years that the rules will be in effect, enforcing or administering the rules does not have foreseeable implications relating to costs or revenues of state or local governments.

GOVERNMENT GROWTH IMPACT STATEMENT

HHSC has determined that during the first five years that the rules will be in effect:

- (1) the proposed rules will not create or eliminate a government program;
- (2) implementation of the proposed rules will not affect the number of HHSC employee positions;
- (3) implementation of the proposed rules will result in no assumed change in future legislative appropriations;
- (4) the proposed rules will not affect fees paid to HHSC;
- (5) the proposed rules will create new regulations;
- (6) the proposed rules will repeal existing regulations;
- (7) the proposed rules will not change the number of individuals subject to the rules; and
- (8) the proposed rules will not affect the state's economy.

SMALL BUSINESS, MICRO-BUSINESS, AND RURAL COMMUNITY IMPACT ANALYSIS

Trey Wood has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities because the rules do not apply to small or micro-businesses, or rural communities.

LOCAL EMPLOYMENT IMPACT

The proposed rules will not affect a local economy.

COSTS TO REGULATED PERSONS

Texas Government Code §2001.0045 does not apply to these rules because the rules are necessary to protect the health, safety, and welfare of the residents of Texas and do not impose a cost on regulated persons.

PUBLIC BENEFIT AND COSTS

Trina Ita, Deputy Executive Commissioner of Behavioral Health Services, has determined that for each year of the first five years the rules are in effect, the public benefit will be clarification of HHSC-funded provider requirements. Additionally, program recipients may experience an increase in quality and consistency of services.

Trey Wood has also determined that for the first five years the rules are in effect, there are no anticipated economic costs to

persons who are required to comply with the proposed rules because the new rules incorporate and clarify existing program requirements.

TAKINGS IMPACT ASSESSMENT

HHSC has determined that the proposal does not restrict or limit an owner's right to the owner's property that would otherwise exist in the absence of government action and, therefore, does not constitute a taking under Texas Government Code §2007.043.

PUBLIC COMMENT

Written comments on the proposal, including information related to the cost, benefit, or effect of the proposed rules, as well as any applicable data, research, or analysis, may be submitted to Rules Coordination Office, P.O. Box 13247, Mail Code 4102, Austin, Texas 78711-3247, or street address 4601 West Guadalupe Street, Austin, Texas 78751; or emailed to HHSCRulesCoordinationOffice@hhs.texas.gov.

To be considered, comments must be submitted no later than 31 days after the date of this issue of the *Texas Register*. Comments must be (1) postmarked or shipped before the last day of the comment period; (2) hand-delivered before 5:00 p.m. on the last working day of the comment period; or (3) emailed before midnight on the last day of the comment period. If the last day to submit comments falls on a holiday, comments must be postmarked, shipped, or emailed before midnight on the following business day to be accepted. When emailing comments, please indicate "Comments on Proposed Rule 24R089" in the subject line.

26 TAC §§321.1, 321.3, 321.5, 321.7

STATUTORY AUTHORITY

The repeals sections are authorized by Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system, Texas Health and Safety Code §1001.073, which provides that HHSC the responsibility for administering, coordinating, and contracting for the delivery of substance use prevention services, §1001.075, which provides that the executive commissioner of HHSC may adopt rules reasonably necessary for the administration of substance use prevention services, §461A.052, which provides that HHSC shall plan, develop, coordinate, evaluate, and implement programs for the prevention of substance use, and §461A.051, which provides that the executive commissioner of HHSC shall adopt rules governing the functions of the agency in relation to substance use services.

The new sections and repeals affect Texas Government Code §524.0151 and Texas Health and Safety Code §1001.073, §1001.75, §461A.051, and §461A.052.

§321.1. *Purpose.*

§321.3. *Application.*

§321.5. *Definitions.*

§321.7. *Program Description.*

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on October 15, 2025.

**26 TAC §§321.1, 321.3, 321.5, 321.7, 321.9, 321.11****STATUTORY AUTHORITY**

The new sections are authorized by Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system, Texas Health and Safety Code §1001.073, which provides that HHSC the responsibility for administering, coordinating, and contracting for the delivery of substance use prevention services, §1001.075, which provides that the executive commissioner of HHSC may adopt rules reasonably necessary for the administration of substance use prevention services, §461A.052, which provides that HHSC shall plan, develop, coordinate, evaluate, and implement programs for the prevention of substance use, and §461A.051, which provides that the executive commissioner of HHSC shall adopt rules governing the functions of the agency in relation to substance use services.

The new sections and repeals affect Texas Government Code §524.0151 and Texas Health and Safety Code §1001.073, §1001.75, §461A.051, and §461A.052.

§321.1. Purpose.

This subchapter explains to HHSC-funded providers which substance use prevention approaches to use. It sets requirements for provider staff. It also explains policies and procedures for the program.

§321.3. Application.

This subchapter applies to a provider who receives funding from HHSC to deliver substance use prevention services.

§321.5. Definitions.

The words and terms below have the assigned meanings when used in this subchapter, unless the context indicates otherwise.

(1) ACE--Adverse childhood experiences. Childhood events that may be traumatic.

(2) Alternatives--A primary prevention strategy that is defined in 45 CFR §96.125(b)(3).

(3) Behavioral health--Refers to the topics of mental health and substance use disorders, life stressors and crises, and stress-related physical symptoms.

(4) Behavioral health promotion--The advancement of mental health, resilience, and well-being.

(5) CFR--Code of Federal Regulations.

(6) CLAS--Culturally and linguistically appropriate services. National standards for a set of 15 action steps. These standards aim to improve behavioral health quality and outcomes.

(7) Community-based process--A primary prevention strategy that is defined in 45 CFR §96.125(b)(5).

(8) CSAP--Center for Substance Abuse Prevention. A center under the Substance Abuse Mental Health Services Administration (SAMHSA).

(9) CSAP strategies--The evidence-based primary prevention strategies that are used by SAMHSA and defined in 45 CFR §96.125(b).

(10) Education--A primary prevention strategy that is defined in 45 CFR §96.125(b)(2).

(11) Environmental--A primary prevention strategy that is defined in 45 CFR §96.125(b)(6).

(12) Evidence-based--Models, curricula, and other interventions proven to be effective through research.

(13) HHSC--Texas Health and Human Services Commission or its designee.

(14) Individual--A person who receives services under this subchapter.

(15) Information dissemination--A primary prevention strategy that is defined in 45 CFR §96.125(b)(1).

(16) NMDOH--Non-medical drivers of health. The conditions where people live, learn, work, and play that affect a wide range of health outcomes. NMDOH can be divided into five domains:

(A) economic stability;

(B) education access and quality;

(C) healthcare access and quality;

(D) neighborhood and built environment; and

(E) social and community context.

(17) Prevention strategies--Proactive approaches that help individuals and communities promote healthy behaviors and lifestyles, including strategies defined in 45 CFR §96.125(b).

(18) Primary prevention--Activities that target individuals who do not need treatment for substance use disorder, which is defined in 45 CFR §96.121. These activities may include education, mentoring, and other activities that reduce the risk of substance use.

(19) Problem identification and referral--A primary prevention strategy that is defined in 45 CFR §96.125(b)(4).

(20) Protective factors--Elements that reduce the impact of risk factors. These elements build resilience and decrease the likelihood of developing behaviors that could lead to substance use and misuse.

(21) Provider--A person or entity that contracts with HHSC to provide substance use prevention services.

(22) Risk factors--Biological, psychological, family, community, or cultural influences that precede and are associated with a higher likelihood of negative outcomes.

(23) SAMHSA--Substance Abuse and Mental Health Services Administration. An agency within the U.S. Department of Health and Human Services.

(24) Socio-ecological model--A framework that explains the different factors that affect health behavior and how to organize health intervention strategies.

(25) Strategic prevention framework--A framework created by SAMHSA used in prevention planning to address substance use and mental health issues.

§321.7. General Program Requirements.

(a) A provider must:

(1) promote behavioral health;

(2) attempt to reduce substance use and misuse;

(3) focus on preventing:

(A) for all ages, prescription drug misuse, marijuana, cannabinoids, tobacco, and other nicotine product use; and

(B) underage alcohol use;

(4) provide services using the socio-ecological model and SAMHSA's Strategic Prevention Framework;

(5) incorporate CSAP strategies that apply to the program, including Alternatives, Community-based Process, Information Dissemination, Education, Environmental, and Problem Identification, and Referral;

(6) follow CLAS; and

(7) offer services that help fill gaps in line with the current Statewide Behavioral Health Coordinating Council's Behavioral Health Strategic Plan required by Texas Government Code §547.0156.

(b) A provider must use prevention strategies that:

(1) focus on risk factors that lead to substance use and misuse, including:

(A) ACEs;

(B) NMDOH;

(C) unequal access to healthcare and behavioral health services;

and

(D) other youth, family, and community risk factors;

(2) promote behavioral health and help build protective factors.

(c) Before providing substance use prevention education services, the provider must complete memorandums of understanding or community agreements with public schools and agencies, businesses, or community partners to ensure programs operate efficiently.

(d) A provider must operate a program according to written policies and procedures to support implementation.

(e) The policies and procedures must:

(1) follow the rules in this subchapter;

(2) meet any of HHSC's contractual and financial requirements; and

(3) follow all relevant state and federal laws or rules.

(f) The provider must:

(1) keep a copy of the policies and procedures;

(2) provide a copy of the policies and procedures to staff; and

(3) provide a copy of the policies and procedures to HHSC, if requested.

(g) A screening tool is not required for referral to services. If a tool is used, it must be HHSC-approved and not be used for purposes of diagnosis or treatment.

§321.9. Program Staffing.

(a) A provider must keep sufficient staff to effectively operate the prevention program and provide services as required by §321.11 of this subchapter (relating to Program Service Delivery).

(b) A provider must ensure that every staff member providing primary prevention services obtains a prevention designation.

(c) The designations must:

(1) be a certified prevention specialist or associate prevention specialist; and

(2) come from an organization that is a member of the International Certification and Reciprocity Consortium.

§321.11. Program Service Delivery.

(a) A provider must deliver a prevention program that:

(1) directs prevention activities at individuals that are not in treatment for substance use;

(2) carries out activities appropriate for individuals that are not in treatment for substance use; and

(3) provides services:

(A) in different settings for the general population;

(B) to populations at high risk for substance use; and

(C) to communities with less access to services.

(b) A provider who delivers a universal prevention program must:

(1) use a proactive process that addresses the health and wellness of the general population;

(2) build protective factors;

(3) deter the onset of alcohol, tobacco, and other drug misuse;

(4) create places in the community that promote healthy living; and

(5) target populations not based on risk level of substance misuse.

(c) A provider who delivers a selective prevention program must:

(1) use a process that addresses and promotes the health and wellness of individuals, families, and communities by enhancing protective factors;

(2) use relevant CSAP strategies to prevent risk factors;

(3) focus on individuals or groups who are determined to be at risk for misusing substances; and

(4) focus on individuals who are determined to be at a higher-than-average risk of developing a substance use disorder.

(d) A provider who delivers an indicated prevention program must:

(1) focus on individuals who show early signs of and behaviors related to substance use;

(2) serve individuals who are not in substance use treatment; and

(3) focus on youth who show early warning signs of substance use.

(e) A provider who delivers a community coalition partnership program must:

(1) recruit partners involved in the community; and

(2) implement evidence-based strategies that:

(A) focus on changing community policies and social norms; and

(B) increase protective factors in the community.

(f) Prevention resource centers must:

(1) provide information about substance use to the general community within the HHSC service region where the Prevention Resource Center is located;

(2) educate the community on how to promote behavioral health to prevent substance use;

(3) support programs in the community that focus on substance use and tobacco prevention and control, including HHSC-funded organizations;

(4) connect people to resources related to substance use; and

(5) conduct tobacco-specific prevention and compliance strategies as required under 42 United States Code §300x-26 and 45 CFR §96.130.

(g) A provider must use and follow an evidence-based curriculum approved by HHSC.

(h) HHSC must approve any changes a provider wants to make to the approved evidence-based curriculum.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on October 15, 2025.

TRD-202503729

Karen Ray

Chief Counsel

Health and Human Services Commission

Earliest possible date of adoption: November 30, 2025

For further information, please call: (512) 902-8075



TITLE 37. PUBLIC SAFETY AND CORRECTIONS

PART 6. TEXAS DEPARTMENT OF CRIMINAL JUSTICE

CHAPTER 151. GENERAL PROVISIONS

37 TAC §151.58

The Texas Board of Criminal Justice (board) proposes new rule §151.58, concerning Legislative Leave Pool. The purpose of the new rule is to establish a legislative leave pool in compliance with HB 1828, 89th Leg., R.S.

Ron Steffa, Chief Financial Officer for the Texas Department of Criminal Justice (TDCJ), has determined that for each year of the first five years the proposed rule will be in effect, enforcing or administering the proposed rule will not have foreseeable implications related to costs or revenues for state or local government because the proposed rule will be administered using existing staffing and processes.

Mr. Steffa has also determined that for each year of the first five-year period, there will not be an economic impact on persons required to comply with the rule because the proposed rule does not require compliance by any persons. There will not be an adverse economic impact on small or micro businesses or on rural communities. Therefore, no regulatory flexibility analysis is required.

The anticipated public benefit, as a result of enforcing the proposed rule, will be to provide TDCJ employees with paid leave for legislative purposes on behalf of an association. No cost will be imposed on regulated persons.

The proposed rule will have no impact on government growth; no impact on local employment; no creation or elimination of a government program; no creation or elimination of employee positions; no increase or decrease in future legislative appropriations to the TDCJ; no increase or decrease in fees paid to the TDCJ; no new regulation and no effect on an existing regulation; no increase or decrease in the number of individuals subject to the rule; and no effect upon the economy. The proposed rule will not constitute a taking.

Comments and information such as applicable data, research, or analysis related to the cost, benefit, or effect of the proposed amendments should be directed to the Office of the General Counsel, Texas Department of Criminal Justice, P.O. Box 4004, Huntsville, Texas 77342, ogccomments@tdcj.texas.gov. Written comments and informational submissions from the general public must be received within 30 days of the publication of this rule in the *Texas Register*.

The new rule is proposed under Texas Government Code §492.013, which authorizes the board to adopt rules; and §493.0075, which establishes the donation of accrued compensatory time or accrued annual leave for legislative purposes for TDCJ employees.

Cross Reference to Statutes: None.

§151.58. Legislative Leave Pool.

(a) Definitions. "Legislative Leave Pool Administrator" is the Human Resources Division director or designee.

(b) Procedures.

(1) All contributions to the Texas Department of Criminal Justice (TDCJ) legislative leave pool are voluntary. A correctional employee within the Correctional Career Path series may voluntarily transfer up to eight hours of compensatory time or vacation leave per year earned by the correctional employee to the legislative leave pool.

(2) A correctional employee may use time contributed to the legislative leave pool if the correctional employee uses the time for legislative leave on behalf of an association:

(A) related to the correctional officer's employment with the TDCJ;

(B) that has at least 5,000 active or retired members; and

(C) that is governed by a board of directors.

(3) A correctional employee may only withdraw time from the legislative leave pool in coordination with and with the consent of the president or designee of the association described in subsection (2) of this section. A correctional employee may not withdraw more than:

(A) 80 hours from the pool in a 160-hour work cycle;

or

(B) 480 hours from the pool in a fiscal year.

(4) Correctional employees who contribute accrued compensatory or vacation leave hours to the TDCJ legislative leave pool may not:

(A) designate the contributed hours for use by a specific employee; or

(B) retract the decision to contribute once processed.

(5) The legislative leave pool administrator shall determine the amount of time that a correctional employee may withdraw from the legislative leave pool.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on October 20, 2025.

TRD-202503751

Stephanie Greger

General Counsel

Texas Department of Criminal Justice

Earliest possible date of adoption: November 30, 2025

For further information, please call: (936) 437-6700



CHAPTER 152. CORRECTIONAL INSTITUTIONS DIVISION

SUBCHAPTER A. MISSION AND ADMISSIONS

37 TAC §152.3

The Texas Board of Criminal Justice (board) proposes amendments to §152.3, concerning Admissions. The proposed amendments add language to include the verification process of a county's request for reimbursement; remove requirements mandated by §152.5, "Designation of State Jail Regions," which is proposed for repeal; and make grammatical and formatting updates.

Ron Steffa, Chief Financial Officer for the Texas Department of Criminal Justice (TDCJ), has determined that for each year of the first five years the proposed amendments will be in effect, enforcing or administering the proposed amendments will not have foreseeable implications related to costs or revenues for state or local government because the proposed amendments merely clarify existing procedures.

Mr. Steffa has also determined that for each year of the first five-year period, there will not be an economic impact on persons required to comply with the rules because the proposed amendments merely clarify existing procedures. There will not be an adverse economic impact on small or micro businesses or on rural communities. Therefore, no regulatory flexibility analysis is required.

The anticipated public benefit, as a result of enforcing the proposed amendments, will be to enhance clarity and public understanding. No cost will be imposed on regulated persons.

The proposed amendments will have no impact on government growth; no impact on local employment; no creation or elimi-

nation of a government program; no creation or elimination of employee positions; no increase or decrease in future legislative appropriations to the TDCJ; no increase or decrease in fees paid to the TDCJ; no new regulation and no effect on an existing regulation; no increase or decrease in the number of individuals subject to the rule; and no effect upon the economy. The proposed amendments will not constitute a taking.

Comments and information such as applicable data, research, or analysis related to the cost, benefit, or effect of the proposed amendments should be directed to the Office of the General Counsel, Texas Department of Criminal Justice, P.O. Box 4004, Huntsville, Texas 77342, ogccomments@tdcj.texas.gov. Written comments and informational submissions from the general public must be received within 30 days of the publication of this rule in the *Texas Register*.

The amendments are proposed under Texas Government Code §492.013, which authorizes the board to adopt rules; §499.1215, which establishes guidelines for compensation to counties for inmates awaiting transfer to the TDCJ; and §507.024, which addresses the safe transfer of defendants from counties to state jail felony facilities.

Cross Reference to Statutes: None.

§152.3. Admissions.

(a) Counties will send commitment papers on inmates sentenced to the Texas Department of Criminal Justice (TDCJ) to the TDCJ Classification and Records Office (CRO) immediately following completion of the commitment papers. Those counties equipped to do so may send paperwork electronically.

(b) The TDCJ shall accept inmates sentenced to prison within 45 days of the date the commitment papers are certified by the CRO. If TDCJ does not take custody of an inmate within 45 days after the commitment papers are certified, TDCJ shall reimburse the county for each day of confinement within the county over 45 days at the most recent systemwide cost per day published by the Legislative Budget Board on the date the CRO receives and verifies the county's request for reimbursement.

(c) No later than the fifth business day after the date the CRO receives commitment papers from the county, the CRO shall:

(1) review and certify the commitment papers if the CRO determines there are no errors or deficiencies requiring corrective action by the county; or

(2) notify the county that the CRO has determined the commitment papers require corrective action by the county and identify the errors needing correction.

(d) Inmates shall be scheduled for admission based on:

(1) their length of confinement in relation to the 45 days from the date the commitment papers are certified; and

(2) transportation routes.

(e) Counties will inform the TDCJ State Ready Office when inmates for whom commitment papers have been sent are transferred to another facility by bench warrants.

(f) The TDCJ shall notify counties via electronic transmission, such as facsimile or email when applicable, of inmates scheduled for intake, the date of intake, the respective reception unit, and transportation arrangements. Inmates shall be sorted by name and State Identification (SID) number, as identified by the court judgment.

(g) Counties will notify the TDCJ admissions coordinator of any inmates who are not available for transfer and the reason they are not available for transfer.

(h) Counties may identify inmates with medical or security issues that may be scheduled for intake out of sequence on a case-by-case basis by contacting the TDCJ admissions coordinator.

(i) After the receipt of an order by a judge for admission of an inmate to a state jail, the placement determination shall be made by the TDCJ Admissions Office. [Placement shall be made in the state jail designated as serving the county in which the inmate resides unless:]

[(1) the inmate has no residence or was a resident of another state at the time of committing an offense;]

[(2) alternative placement would protect the life or safety of any person;]

[(3) alternative placement would increase the likelihood of the inmate's successful completion of confinement or supervision;]

[(4) alternative placement is necessary to efficiently use available state jail capacity, including alternative placement because of gender; or]

[(5) alternative placement is necessary to provide medical or psychiatric care to the inmate.]

[(j) If the inmate is described by subsection (h)(1) of this rule, placement shall be made in the state jail designated as serving the county in which the offense was committed, unless a circumstance in subsection (i)(2)-(5) of this rule applies.]

[(k) The TDCJ Admissions Office shall attempt to have placement determinations made at a regional level that may include one or more regions as designated in 37 Texas Administrative Code § 152.5 relating to the designation of state jail regions.]

(j) [(h)] If a county believes reimbursement is due, the county shall complete and submit the authorized form to the CRO. Upon receipt of the authorized form, TDCJ shall:

(1) review each request for reimbursement received from a county;

(2) verify:

(A) the certification date for all documents required to be submitted under Article 42.09, Code of Criminal Procedure; and

(B) the date the inmate was received into TDCJ custody; and

(3) process all required payments for reimbursement in accordance with the Prompt Payment Act or notify the county and explain why no reimbursement is required.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on October 20, 2025.

TRD-202503750

Stephanie Greger

General Counsel

Texas Department of Criminal Justice

Earliest possible date of adoption: November 30, 2025

For further information, please call: (936) 437-6700

37 TAC §152.5

The Texas Board of Criminal Justice (board) files this notice of intent to repeal 37 Texas Administrative Code, Part 6 §152.5, concerning Designation of State Jail Regions. The repeal eliminates a rule whose governing statutes, Government Code §§507.003-.004 were repealed by SB 2405, 89th Regular Legislative Session. The proposed repeal has been reviewed by legal counsel and found to be within the board's authority to repeal.

Ron Steffa, Chief Financial Officer for the Texas Department of Criminal Justice, has determined that for each year of the first five years the repeal will be in effect, the rule will not have foreseeable implications related to costs or revenues for state or local government.

Mr. Steffa has also determined that for each year of the first five-year period the repeal will be in effect, there will not be an economic impact on persons as a result of the repeal. There will not be an adverse economic impact on small or micro businesses or on rural communities as a result of the repeal. Therefore, no regulatory flexibility analysis is required.

The anticipated public benefit, as a result of the repeal, will be to eliminate a rule whose governing statute has been repealed. No cost will be imposed on regulated persons.

The repeal will have no impact on government growth; no impact on local employment; no creation or elimination of a government program; no creation or elimination of employee positions; no increase or decrease in future legislative appropriations to the TDCJ; no increase or decrease in fees paid to the TDCJ; no new regulation and no effect on an existing regulation; no increase or decrease in the number of individuals subject to the rule; and no effect upon the economy. The repeal will not constitute a taking.

Comments and information such as applicable data, research, or analysis related to the cost, benefit, or effect of the proposed amendments should be directed to the Office of the General Counsel, Texas Department of Criminal Justice, P.O. Box 4004, Huntsville, Texas 77342, ogccomments@tdcj.texas.gov. Written comments and informational submissions from the general public must be received within 30 days of the publication of this rule in the *Texas Register*.

The repeal is proposed under Texas Government Code §492.013, which authorizes the board to adopt rules as necessary for its own procedures and for operation of the department and the independent reporting entities.

Cross Reference to Statutes: None.

§152.5. *Designation of State Jail Regions.*

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on October 20, 2025.

TRD-202503758

Stephanie Greger

General Counsel

Texas Department of Criminal Justice

Earliest possible date of adoption: November 30, 2025

For further information, please call: (936) 437-6700

◆ ◆ ◆

CHAPTER 159. SPECIAL PROGRAMS

37 TAC §159.19

The Texas Board of Criminal Justice (board) proposes amendments to §159.19, concerning Continuity of Care and Services Program for Offenders who are Elderly, Terminally Ill, Significantly Ill or with a Physical Disability or Having a Mental Illness. The proposed amendments add the Texas Workforce Commission to the Memorandum of Understanding; revise "mental illness" to "mental impairment" and "terminally ill" to "terminal illness" throughout, including the title; and make other edits and grammatical updates for clarity.

Ron Steffa, Chief Financial Officer for the Texas Department of Criminal Justice (TDCJ), has determined that for each year of the first five years the proposed amendments will be in effect, enforcing or administering the proposed amendments will not have foreseeable implications related to costs or revenues for state or local government because the proposed amendments merely clarify existing procedures.

Mr. Steffa has also determined that for each year of the first five-year period, there will not be an economic impact on persons required to comply with the rules because the proposed amendments merely clarify existing procedures. There will not be an adverse economic impact on small or micro businesses or on rural communities. Therefore, no regulatory flexibility analysis is required.

The anticipated public benefit, as a result of enforcing the proposed amendments, will be to enhance clarity and public understanding. No cost will be imposed on regulated persons.

The proposed amendments will have no impact on government growth; no impact on local employment; no creation or elimination of a government program; no creation or elimination of employee positions; no increase or decrease in future legislative appropriations to the TDCJ; no increase or decrease in fees paid to the TDCJ; no new regulation and no effect on an existing regulation; no increase or decrease in the number of individuals subject to the rule; and no effect upon the economy. The proposed amendments will not constitute a taking.

Comments and information such as applicable data, research, or analysis related to the cost, benefit, or effect of the proposed amendments should be directed to the Office of the General Counsel, Texas Department of Criminal Justice, P.O. Box 4004, Huntsville, Texas 77342, ogccomments@tdcj.texas.gov. Written comments and informational submissions from the general public must be received within 30 days of the publication of this rule in the *Texas Register*.

The amendments are proposed under Texas Government Code §492.001, which establishes the board's authority over the de-

partment; §492.013, which authorizes the board to adopt rules; Texas Health and Safety Code §614.003, which establishes the Texas Correctional Office on Offenders with Medical or Mental Impairments; §§614.007-.008, which establishes the powers and duties of TCOOMMI and the community-based diversion program; and §§614.013-.015, which mandates a memorandum of understanding be established for the continuity of care for offenders with mental impairments, elderly offenders, and offenders with physical disabilities, terminal illnesses, or significant illnesses.

Cross Reference to Statutes: None.

§159.19. Continuity of Care and Services Program for Offenders who are Elderly, have a Mental Impairment or Physical Disability, or have Significant or Terminal Illness [Terminally Ill, Significantly Ill or with a Physical Disability or Having a Mental Illness].

(a) The Texas Department of Criminal Justice (TDCJ) adopts a ~~[the following]~~ memorandum of understanding (MOU) with the Texas Health and Human Services Commission (HHSC), the Texas Workforce Commission, and the Texas Department of State Health Services (DSHS) for the purpose of establishing ~~[concerning]~~ a continuity of care and services program for offenders who are elderly, have a mental impairment or physical disability, or have significant or terminal illness ~~[terminally ill, significantly ill or with a physical disability or having a mental illness]~~.

Figure: 37 TAC §159.19(a)

~~[Figure: 37 TAC §159.19(a)]~~

(b) This MOU is required by the Texas Health and Safety Code §§ 614.013 - 614.015.

(c) Copies of the MOU are filed in the Texas Correctional Office on Offenders with Medical or Mental Impairments, 4616 W. Howard Lane, Suite 200, Austin, Texas 78728 and may be reviewed during regular business hours.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on October 20, 2025.

TRD-202503754

Stephanie Greger

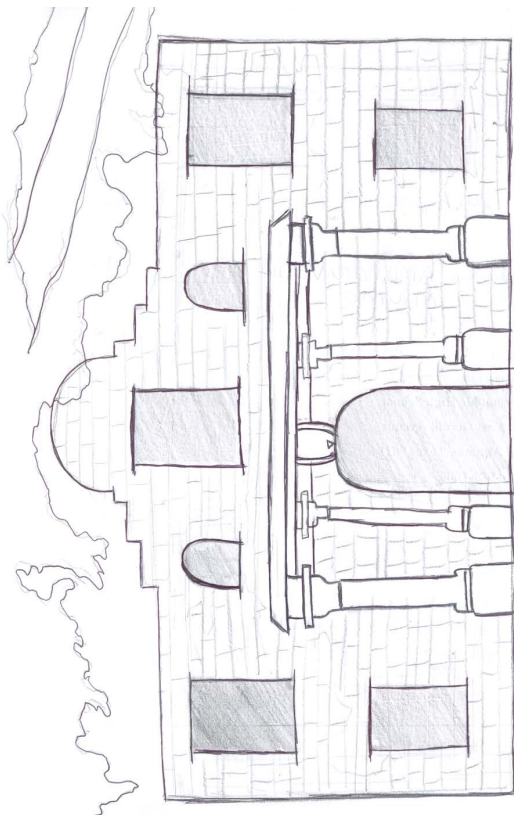
General Counsel

Texas Department of Criminal Justice

Earliest possible date of adoption: November 30, 2025

For further information, please call: (936) 437-6700

◆ ◆ ◆



WITHDRAWN RULES

Withdrawn Rules include proposed rules and emergency rules. A state agency may specify that a rule is withdrawn immediately or on a later date after filing the notice with the Texas Register. A proposed rule is withdrawn six months after the date of publication of the proposed rule in the Texas Register if a state agency has failed by that time to adopt, adopt as amended, or withdraw the proposed rule. Adopted rules may not be withdrawn. (Government Code, §2001.027)

TITLE 22. EXAMINING BOARDS

PART 30. TEXAS STATE BOARD OF EXAMINERS OF PROFESSIONAL COUNSELORS

CHAPTER 681. PROFESSIONAL COUNSELORS

SUBCHAPTER C. APPLICATION AND LICENSING

22 TAC §681.91

The Texas State Board of Examiners of Professional Counselors withdraws proposed amendments to §681.91 which appeared in the August 8, 2025, issue of the *Texas Register* (50 TexReg 5131).

Filed with the Office of the Secretary of State on October 16, 2025.

TRD-202503731

Darrel D. Spinks

Executive Director

Texas State Board of Examiners of Professional Counselors

Effective date: October 16, 2025

For further information, please call: (512) 305-7706



22 TAC §681.93

The Texas State Board of Examiners of Professional Counselors withdraws proposed amendments to §681.93 which appeared in the August 8, 2025, issue of the *Texas Register* (50 TexReg 5132).

Filed with the Office of the Secretary of State on October 16, 2025.

TRD-202503732

Darrel D. Spinks

Executive Director

Texas State Board of Examiners of Professional Counselors

Effective date: October 16, 2025

For further information, please call: (512) 305-7706



TITLE 26. HEALTH AND HUMAN SERVICES

PART 1. HEALTH AND HUMAN SERVICES COMMISSION

CHAPTER 749. MINIMUM STANDARDS FOR CHILD-PLACING AGENCIES

SUBCHAPTER W. KINSHIP FOSTER HOMES

DIVISION 4. MEDICAL AND DENTAL REQUIREMENTS

26 TAC §749.4465

The Health and Human Services Commission withdraws proposed new §749.4465 which appeared in the July 11, 2025, issue of the *Texas Register* (50 TexReg 3996).

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503739

Karen Ray

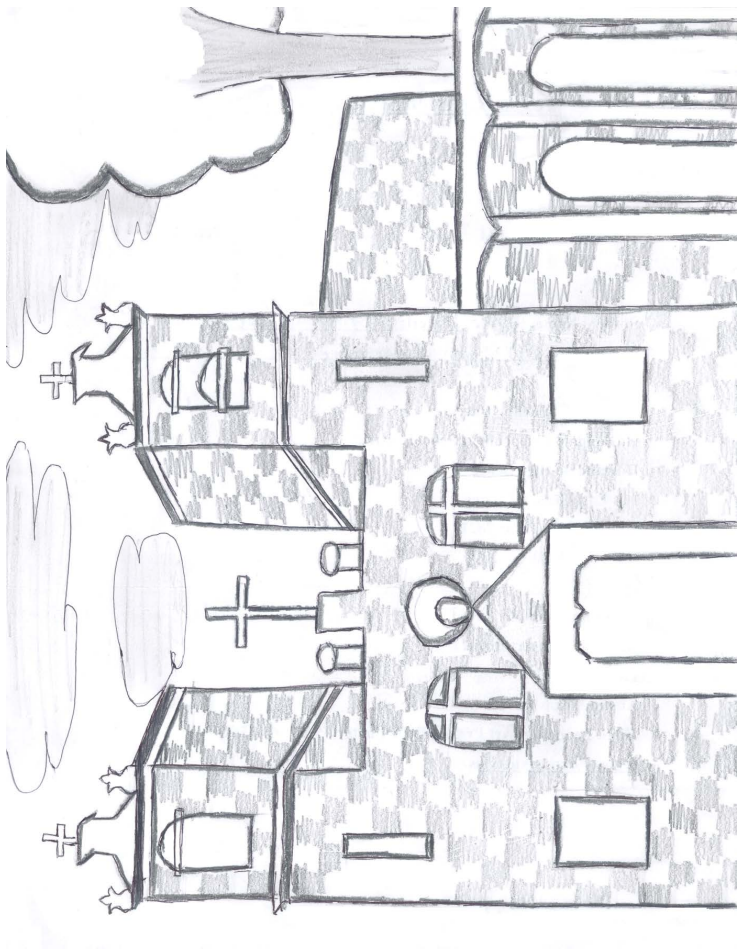
Chief Counsel

Health and Human Services Commission

Effective date: October 17, 2025

For further information, please call: (512) 438-3269





ADOPTED RULES

Adopted rules include new rules, amendments to existing rules, and repeals of existing rules. A rule adopted by a state agency takes effect 20 days after the date on which it is filed with the Secretary of State unless a later date is required by statute or specified in the rule (Government Code, §2001.036). If a rule is adopted without change to the text of the proposed rule, then the *Texas Register* does not republish the rule text here. If a rule is adopted with change to the text of the proposed rule, then the final rule text is included here. The final rule text will appear in the Texas Administrative Code on the effective date.

TITLE 26. HEALTH AND HUMAN SERVICES

PART 1. HEALTH AND HUMAN SERVICES COMMISSION

CHAPTER 745. LICENSING

SUBCHAPTER J. WAIVERS AND VARIANCES FOR MINIMUM STANDARDS

26 TAC §745.8301

The Texas Health and Human Services Commission (HHSC) adopts an amendment to §745.8301, concerning What words must I know to understand this subchapter, in Title 26, Texas Administrative Code, Chapter 745, Licensing.

The amendment to §745.8301 is adopted without changes to the proposed text as published in the July 11, 2025, issue of the *Texas Register* (50 TexReg 3994). The rule will not be republished.

BACKGROUND AND JUSTIFICATION

The amendment is necessary to implement House Bill (HB) 1, 88th Legislature, Regular Session, 2023, which required Child Care Regulation (CCR) to collaborate with the Department of Family and Protective Services (DFPS) to develop and adopt a set of licensing and approval standards for kinship foster homes pursuant to the adoption of federal rules. The Administration for Children and Families amended 45 Code of Federal Regulations (CFR) Parts 1355 and 1356, with the amendments effective on November 27, 2023. These amendments allowed CCR to adopt a set of licensing or approval standards for all kinship foster homes that (1) were different from the standards used for non-kinship foster homes, and (2) allowed a child-placing agency (CPA) to issue a foster home verification to a kinship foster home that meets the new standards. The new standards reduce unnecessary and unreasonable burdens on kinship caregivers to encourage more kinship caregivers to pursue the verification process.

The amendment to §745.8301 also implements recommendations from the Texas HHSC & DFPS Independent Assessment of Residential Child Care Rules, Standards, and Requirements (SB 593) Report to streamline minimum standards and adopt separate verification standards for relative and kinship foster family homes.

The amendment to §745.8301(3) revises the definition of "kinship foster home" to be consistent with the term used in CCR and DFPS rules.

COMMENTS

The 21-day comment period ended August 1, 2025. During this period, HHSC did not receive any comments.

STATUTORY AUTHORITY

The amendment is adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system and HRC §42.042(a) requires HHSC to adopt rules to carry out the requirements of Chapter 42 of HRC.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503738

Karen Ray

Chief Counsel

Health and Human Services Commission

Effective date: November 6, 2025

Proposal publication date: July 11, 2025

For further information, please call: (512) 438-3269



CHAPTER 749. MINIMUM STANDARDS FOR CHILD-PLACING AGENCIES

The Executive Commissioner of the Texas Health and Human Services Commission (HHSC) adopts new §§749.4401, 749.4403, 749.4421, 749.4423, 749.4425, 749.4427, 749.4429, 749.4441, 749.4443, 749.4445, 749.4447, 749.4449, 749.4451, 749.4461, 749.4463, 749.4471, 749.4473, 749.4475, 749.4477, 749.4479, 749.4481, 749.4483, 749.4485, 749.4487, 749.4489, 749.4491, 749.4493, 749.4501, 749.4503, 749.4505, 749.4507, 749.4509, 749.4511, 749.4513, 749.4515, 749.4517, 749.4519, 749.4521, 749.4523, 749.4551, 749.4553, 749.4555, 749.4557, 749.4559, 749.4561, 749.4563, 749.4565, 749.4567, 749.4569, 749.4571, 749.4573, 749.4575, 749.4577, 749.4579, and 749.4581; and the repeal of §749.2472 in Texas Administrative Code, Title 26, Chapter 749, Minimum Standards for Child-Placing Agencies.

New §§749.4425, 749.4427, 749.4461, 749.4463, 749.4477, 749.4479, 749.4507, 749.4553, 749.4569, 749.4571, and 749.4577 are adopted with changes to the proposed text as published in the July 11, 2025, issue of the *Texas Register* (50 TexReg 3996). These rules will be republished. HHSC withdraws proposed new §749.4465.

New §§749.4401, 749.4403, 749.4421, 749.4423, 749.4429, 749.4441, 749.4443, 749.4445, 749.4447, 749.4449, 749.4451, 749.4471, 749.4473, 749.4475, 749.4481, 749.4483, 749.4485, 749.4487, 749.4489, 749.4491, 749.4493, 749.4501, 749.4503, 749.4505, 749.4509, 749.4511, 749.4513, 749.4515, 749.4517, 749.4519, 749.4521, 749.4523, 749.4551, 749.4555, 749.4557, 749.4559, 749.4561, 749.4563, 749.4565, 749.4567, 749.4573, 749.4575, 749.4579, and 749.4581; and the repeal of §749.2472 are adopted without changes to the proposed text as published in the July 11, 2025 issue of the *Texas Register* (50 TexReg 3996). These rules will not be republished.

BACKGROUND AND JUSTIFICATION

The new sections and repeals are necessary to implement House Bill (HB) 1, 88th Legislature, Regular Session, 2023, which required Child Care Regulation (CCR) to collaborate with the Department of Family and Protective Services (DFPS) to develop and adopt a set of licensing and approval standards for kinship foster homes pursuant to the adoption of federal rules. The Administration for Children and Families amended 45 Code of Federal Regulations (CFR) Parts 1355 and 1356, with the amendments effective on November 27, 2023. These amendments allow CCR to adopt a set of licensing or approval standards for all kinship foster homes that (1) were different from the standards used for non-kinship foster homes, and (2) allowed a child-placing agency (CPA) to issue a foster home verification to a kinship foster home that meets the new standards. The new standards reduce unnecessary and unreasonable burdens on kinship caregivers to encourage more kinship caregivers to pursue the verification process.

The new rules also implement recommendations from the Texas HHSC & DFPS Independent Assessment of Residential Child Care Rules, Standards, and Requirements (SB 593) Report to streamline minimum standards and adopt separate verification standards for relative and kinship foster family homes.

The repeal of §749.2472 and new rules Subchapter W of Chapter 749 establish a CPA's ability to issue a non-expiring foster home verification to a kinship foster home.

COMMENTS

The 21-day comment period ended on August 1, 2025. During this period, HHSC received one comment regarding the proposed rules from one commenter who is a member of the public. A summary of the comment relating to the rules and response from HHSC follows.

Comment: Regarding §749.4477 and §749.4571, the commenter stated that the allowances for sharing a sleeping space as detailed in §749.4571 seemed to conflict with the language in §749.4477 which prohibits co-sleeping with an infant. The commenter recommended updating the language in §749.4571 to add "with the exception of infants."

Response: HHSC agrees with this comment and revised §749.4477 and §749.4571. §749.4477 was revised to clarify that an infant may not co-sleep with any individual in any location, and §749.4571 was revised to explicitly say that child placement management staff may not approve an infant to share a sleeping surface.

HHSC also revised the proposed rules to remove references to tuberculosis (TB) testing to comply with HB 2789, SECTION 2, 89th Legislature, Regular Session, 2025. The documentation requirements for TB testing were removed from §749.4461, and the TB testing requirements were removed from §749.4465. The

remaining requirements in §749.4465 were added to §749.4463, therefore HHSC withdraws proposed new §749.4465. Additionally, the section title for §749.4463 was revised to reflect the addition of immunization requirements to the rule.

HHSC revised the language in §749.4569 to clarify the rule is referring to an undue safety risk of indoor and outdoor space and equipment.

HHSC also made minor editorial changes to §§749.4425, 749.4427, 749.4479, 749.4507, 749.4553, and 749.4577 for consistency or to improve readability.

SUBCHAPTER M. FOSTER HOMES:

SCREENINGS AND VERIFICATIONS

DIVISION 3. VERIFICATION OF FOSTER HOME

26 TAC §749.2472

STATUTORY AUTHORITY

The repealed section is adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system and HRC §42.042(a) requires HHSC to adopt rules to carry out the requirements of Chapter 42 of HRC.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503742

Karen Ray

Chief Counsel

Health and Human Services Commission

Effective date: November 6, 2025

Proposal publication date: July 11, 2025

For further information, please call: (512) 438-3269



SUBCHAPTER W. KINSHIP FOSTER HOMES

DIVISION 1. DEFINITIONS AND SCOPE

26 TAC §749.4401, §749.4403

STATUTORY AUTHORITY

The new sections are adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system and HRC §42.042(a) requires HHSC to adopt rules to carry out the requirements of Chapter 42 of HRC.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503743

Karen Ray
Chief Counsel
Health and Human Services Commission
Effective date: November 6, 2025
Proposal publication date: July 11, 2025
For further information, please call: (512) 438-3269



DIVISION 2. PRE-VERIFICATION AND ONGOING TRAINING REQUIREMENTS

26 TAC §§749.4421, 749.4423, 749.4425, 749.4427, 749.4429 STATUTORY AUTHORITY

The new sections are adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system and HRC §42.042(a) requires HHSC to adopt rules to carry out the requirements of Chapter 42 of HRC.

§749.4425. Pediatric First Aid and Pediatric Cardiopulmonary Resuscitation (CPR) Requirements.

(a) One kinship foster parent must be certified in pediatric first aid and pediatric CPR before a child-placing agency (CPA) issues the kinship foster home verification. Other kinship caregivers, including a second kinship foster parent, must be certified in pediatric first aid and CPR within 90 days after the CPA verifies the home.

(b) Pediatric first aid must include training related to rescue breathing and choking.

(c) Pediatric CPR training must adhere to guidelines for CPR established by the American Heart Association.

§749.4427. General Training Requirements.

A kinship caregiver must complete the following applicable types of general training within the noted timeframes.

Figure: 26 TAC §749.4427

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503744
Karen Ray
Chief Counsel
Health and Human Services Commission
Effective date: November 6, 2025
Proposal publication date: July 11, 2025
For further information, please call: (512) 438-3269



DIVISION 3. ADMISSION AND PLACEMENT

26 TAC §§749.4441, 749.4443, 749.4445, 749.4447, 749.4449, 749.4451

STATUTORY AUTHORITY

The new sections are adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of

services by the health and human services system and HRC §42.042(a) requires HHSC to adopt rules to carry out the requirements of Chapter 42 of HRC.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503745
Karen Ray
Chief Counsel
Health and Human Services Commission
Effective date: November 6, 2025
Proposal publication date: July 11, 2025
For further information, please call: (512) 438-3269



DIVISION 4. MEDICAL AND DENTAL REQUIREMENTS

26 TAC §749.4461, §749.4463

STATUTORY AUTHORITY

The new sections are adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system and HRC §42.042(a) requires HHSC to adopt rules to carry out the requirements of Chapter 42 of HRC.

§749.4461. Documentation Requirements for Medical and Dental Care.

(a) A child-placing agency (CPA) must verify that the following is documented either in the kinship foster child's health passport or in the kinship foster child's record:

(1) Each emergency medical and dental visit or hospitalization, including a discharge summary; and

(2) Applicable immunization requirements.

(b) A kinship foster home must maintain a daily medication log for each controlled substance and psychotropic prescription medication administered to a kinship foster child on a form provided by the CPA. The daily medication log must include:

(1) The name of the kinship foster child;

(2) The name of the controlled substance or psychotropic medication administered; and

(3) The date and time the medication was administered.

(c) If a kinship caregiver fails to administer any medication to a kinship foster child according to the medication label or subsequent signed orders, the kinship caregiver must document the following on a form provided by the CPA:

(1) The kinship foster child's name;

(2) The medication name;

(3) A description of the medication error; and

(4) How the kinship caregiver ensured the kinship foster child's safety.

§749.4463. *General Medical, Dental, Immunization, and Medication Requirements.*

(a) A kinship foster child must receive timely routine and emergency medical and dental care.

(b) At the time of verification, a child-placing agency (CPA) must verify whether a kinship foster child who is at least three years old has had a medical examination within the past year and a dental examination within the past year. If the CPA determines that the child has not had one of these examinations during that time frame, the CPA must develop a plan for the child to receive the examination.

(c) All medications must be administered according to the instructions on the label or according to a prescribing health-care professional's subsequent signed order.

(d) All medications must be stored securely and in a way that makes them inaccessible to kinship foster children.

(e) Each kinship foster child that a child-placing agency admits must meet and continue to meet applicable immunization requirements as specified by the Texas Department of State Health Services.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503746

Karen Ray

Chief Counsel

Health and Human Services Commission

Effective date: November 6, 2025

Proposal publication date: July 11, 2025

For further information, please call: (512) 438-3269



DIVISION 5. DAILY CARE, EDUCATION, AND DISCIPLINE

26 TAC §§749.4471, 749.4473, 749.4475, 749.4477, 749.4479, 749.4481, 749.4483, 749.4485, 749.4487, 749.4489, 749.4491, 749.4493

STATUTORY AUTHORITY

The new sections are adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system and HRC §42.042(a) requires HHSC to adopt rules to carry out the requirements of Chapter 42 of HRC.

§749.4477. *Infants: Safe Sleep Requirements.*

(a) A kinship caregiver must place an infant who is unable to turn over without assistance in a face-up sleeping position unless a healthcare professional orders otherwise. A child-placing agency (CPA) must keep any orders from a healthcare professional in the kinship foster child's record.

(b) An infant's head, face, or crib must not be covered at any time by any item, including a blanket, linen, or clothing.

(c) An infant must not co-sleep with any individual in any location.

(d) An infant must not sleep in a restrictive device, such as a car seat, swing, bouncy seat, or highchair. If an infant falls asleep in one of these devices, the kinship caregiver must move the infant to a crib as soon as possible.

(e) An infant who can roll over without assistance must not be swaddled.

(f) The CPA must notify the parent of each child in care of each kinship foster home verified by the CPA of any deficiencies cited in this section.

§749.4479. *Infants: Equipment Safety.*

A highchair, swing, stroller, infant carrier, rocker, bouncy seat, or similar type of equipment that a kinship foster home uses for an infant must have safety straps fastened when the equipment is in use with the infant.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503747

Karen Ray

Chief Counsel

Health and Human Services Commission

Effective date: November 6, 2025

Proposal publication date: July 11, 2025

For further information, please call: (512) 438-3269



DIVISION 6. SCREENINGS AND VERIFICATIONS

26 TAC §§749.4501, 749.4503, 749.4505, 749.4507, 749.4509, 749.4511, 749.4513, 749.4515, 749.4517, 749.4519, 749.4521, 749.4523

STATUTORY AUTHORITY

The new sections are adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system and HRC §42.042(a) requires HHSC to adopt rules to carry out the requirements of Chapter 42 of HRC.

§749.4507. *Previously Verified Kinship Foster Homes.*

(a) For a kinship foster home previously verified by another child-placing agency (CPA), the receiving CPA must conduct and complete a new home screening as required in this subchapter.

(b) If the kinship foster home is transferring from another CPA, the receiving CPA must request information about the home by submitting a written request to the agency that transferred the kinship foster home.

(c) If the kinship foster home is transferring from another CPA with a child in care, the receiving CPA may verify the kinship foster home prior to completion of the background check.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503748

Karen Ray

Chief Counsel

Health and Human Services Commission

Effective date: November 6, 2025

Proposal publication date: July 11, 2025

For further information, please call: (512) 438-3269



DIVISION 7. HEALTH AND SAFETY REQUIREMENTS, ENVIRONMENT, SPACE, AND EQUIPMENT

**26 TAC §§749.4551, 749.4553, 749.4555, 749.4557,
749.4559, 749.4561, 749.4563, 749.4565, 749.4567, 749.4569,
749.4571, 749.4573, 749.4575, 749.4577, 749.4579, 749.4581**

STATUTORY AUTHORITY

The new sections are adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system and HRC §42.042(a) requires HHSC to adopt rules to carry out the requirements of Chapter 42 of HRC.

§749.4553. Health and Fire Inspections.

(a) A kinship foster home must have either:

(1) A health inspection conducted by the local health authority; or

(2) A health and safety evaluation conducted by the child-placing agency's (CPA's) child placement staff using the Environmental Health Checklist for Kinship Foster Homes form.

(b) A kinship foster home must also have either:

(1) A fire inspection conducted by a state or local fire authority; or

(2) A fire safety evaluation developed and conducted by the CPA's child placement staff.

(c) A kinship foster home must correct any deficiencies documented during any inspection or evaluation and comply with any conditions or restrictions specified by the inspector or evaluator.

§749.4569. Physical Environment of a Kinship Foster Home.

(a) A kinship foster home must ensure that indoor and outdoor space and equipment does not pose an undue safety risk to kinship foster children.

(b) Kinship caregivers must provide adequate supervision to prevent access to space or equipment that poses a safety risk to a kinship foster child as needed based on the kinship foster child's developmental age, maturity, and service plan restrictions.

§749.4571. Indoor Space: Sleeping Spaces and Sleeping Surfaces.

(a) Unless approved to share by the child placement management staff (CPMS), each kinship foster child must have the child's own:

(1) Sleeping space; and

(2) Sleep surface, which may include a bed, mattress, air mattress, futon, or couch.

(b) Before approving a kinship foster child to share a sleeping space or sleeping surface, the CPMS must determine and document in the kinship foster child's service plan there is no known risk of harm to the kinship foster child by sharing a sleeping space or sleeping surface with the other individual after assessing:

(1) The relationship between the kinship foster child and the individual;

(2) The ages and developmental levels of the kinship foster child and the individual, noting that after the kinship foster child's 18th birthday, the kinship foster child may share a bedroom with another youth who is 16 years of age or older, provided the age difference does not exceed two years;

(3) The behaviors of the kinship foster child and the individual;

(4) Any history of possible sexual trauma or sexually inappropriate behaviors of the kinship foster child and the individual; and

(5) Any other identifiable factors that may affect the appropriateness of the individual and the kinship foster child sharing a bedroom.

(c) CPMS may not approve an infant to share a sleeping surface.

§749.4577. Transportation.

(a) Kinship caregivers must utilize safe and reliable transportation for a kinship foster child.

(b) Special provisions must be made for transporting non-ambulatory and non-mobile children. When necessary, this may include locks for wheelchairs and hydraulic lifts.

(c) A kinship caregiver must secure each kinship foster child in an infant safety seat, rear-facing convertible child safety seat, forward-facing child safety seat, child booster seat, safety vest, harness, or a safety belt, as appropriate to the kinship foster child's age, height, and weight and according to the manufacturer's instructions.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503749

Karen Ray

Chief Counsel

Health and Human Services Commission

Effective date: November 6, 2025

Proposal publication date: July 11, 2025

For further information, please call: (512) 438-3269



TITLE 28. INSURANCE

PART 1. TEXAS DEPARTMENT OF INSURANCE

CHAPTER 1. GENERAL ADMINISTRATION

The commissioner of insurance adopts amendments to 28 TAC §§1.301, 1.302, 1.1101, 1.1901, and 1.1904, concerning various sections that reference the General Services Commission

(GSC). The amendments are adopted without changes to the proposed text published in the August 15, 2025, issue of the *Texas Register* (50 TexReg 5303). These rules will not be republished.

REASONED JUSTIFICATION. The amended sections are necessary to remove references to the GSC and its rules because the GSC was abolished under Senate Bill 311, 77th Legislature, 2001. After the GSC was abolished, its authority to determine the cost for copies of public records was transferred to the Office of the Attorney General (OAG) under Senate Bills 452 and 727, 79th Legislature, 2005. The GSC's authority to determine procedures for vendor protests of procurement and determine the assignment and use of agency vehicles was transferred to the Texas Comptroller of Public Accounts (CPA) under House Bill 3560, 80th Legislature, 2007. Because the GSC's authority was transferred to other agencies after its abolition, the amendments are needed to accurately cite the proper agencies and their rules. The amended sections as adopted are otherwise consistent with OAG and CPA rules.

Descriptions of the sections' adopted amendments follow.

Section 1.301. Amendments to §1.301 replace a reference to the GSC and its rules with a reference to the OAG and its rules, add the abbreviation "TDI" for the Texas Department of Insurance, and replace the word "shall" with "will" for consistency with TDI plain language preferences.

Section 1.302. Amendments to §1.302 remove the \$1 fee a custodian of records is entitled to under Civil Practice and Remedies Code §22.004, reducing the fee amount required by the section to \$10. Amendments also update the section for plain language by replacing "shall be" with "is."

Section 1.1101. An amendment to §1.1101 replaces a reference to the GSC with a reference to the CPA and adds the relevant CPA rules' titles for clarity.

Section 1.1901. Amendments to §1.1901 replace a reference to the GSC with a reference to the CPA and add the title of Government Code §2171.1045 for clarity. The citation to Government Code §2171.1045 is also updated for plain language.

Section 1.1904. Amendments to §1.1904 replace the reference to the GSC with a reference to the CPA and ensure the full title of the State Vehicle Fleet Management Plan is in the text.

In addition, the amendments include nonsubstantive rule drafting and formatting changes for plain language and to conform the sections to TDI's current style and improve the sections' clarity. These changes include replacing "shall" with "must" or "will."

SUMMARY OF COMMENTS. TDI provided an opportunity for public comment on the rule proposal for a period that ended on September 15, 2025. TDI did not receive any comments on the proposed amendments.

SUBCHAPTER B. FEES, CHARGES, AND COSTS

28 TAC §1.301, §1.302

STATUTORY AUTHORITY. The commissioner adopts the amendments to §1.301 and §1.302 under Government Code §552.262 and Insurance Code §§202.003(a), 202.051(2), and 36.001.

Government Code §552.262 requires each state agency to use the rules adopted by the OAG in determining charges for providing copies of public information.

Insurance Code §202.003(a) directs TDI to set and collect a fee for copying any paper of record in an amount sufficient to reimburse the state for the actual expense.

Insurance Code §202.051(2) directs TDI to impose and receive from each authorized insurer writing insurance in Texas a fee for affixing the official seal and certifying to the seal in an amount not to exceed \$20.

Insurance Code §36.001 provides that the commissioner may adopt any rules necessary and appropriate to implement the powers and duties of TDI under the Insurance Code and other laws of this state.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503734

Jessica Barta

General Counsel

Texas Department of Insurance

Effective date: November 6, 2025

Proposal publication date: August 15, 2025

For further information, please call: (512) 676-6555



SUBCHAPTER J. PROCEDURES FOR VENDOR PROTESTS OF PROCUREMENTS

28 TAC §1.1101

STATUTORY AUTHORITY. The commissioner adopts the amendments to §1.1101 under Government Code §2155.076 and Insurance Code §36.001.

Government Code §2155.076 requires each state agency by rule to develop and adopt protest procedures for resolving vendor protests relating to purchasing issues that are consistent with the CPA's rules.

Insurance Code §36.001 provides that the commissioner may adopt any rules necessary and appropriate to implement the powers and duties of TDI under the Insurance Code and other laws of this state.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503735

Jessica Barta

General Counsel

Texas Department of Insurance

Effective date: November 6, 2025

Proposal publication date: August 15, 2025

For further information, please call: (512) 676-6555

◆ ◆ ◆

SUBCHAPTER Q. ASSIGNMENT AND USE OF AGENCY VEHICLES

28 TAC §1.1901, §1.1904

STATUTORY AUTHORITY. The commissioner adopts the amendments to §1.1901 and §1.1904 under Government Code §2171.1045 and Insurance Code §36.001.

Government Code §2171.1045 requires each state agency to adopt rules consistent with the management plan adopted by the CPA under Government Code §2171.104.

Insurance Code §36.001 provides that the commissioner may adopt any rules necessary and appropriate to implement the powers and duties of TDI under the Insurance Code and other laws of this state.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503736

Jessica Barta

General Counsel

Texas Department of Insurance

Effective date: November 6, 2025

Proposal publication date: August 15, 2025

For further information, please call: (512) 676-6555

◆ ◆ ◆

TITLE 37. PUBLIC SAFETY AND CORRECTIONS

PART 6. TEXAS DEPARTMENT OF CRIMINAL JUSTICE

CHAPTER 151. GENERAL PROVISIONS

37 TAC §151.51

The Texas Board of Criminal Justice (board) adopts amendments to §151.51, concerning Custodial Officer Certification and Hazardous Duty Pay Eligibility Guidelines, without changes to the proposed text as published in the May 9, 2025, issue of the *Texas Register* (50 TexReg 2751). The rule will not be republished. The adopted amendments revise "offender" to "inmate" where appropriate and "rule" to "section" throughout; revise the definition for "Routine Direct Inmate Contact"; add sociologists and interviewers to employees eligible under Hazardous Duty Code 3; replace the deputy executive director with the chief operations officer as the authority to approve adding positions to Hazardous Duty Code 3; add the chief operations officer, chief programs officer, other division directors, and no more than 25 administrative duty officers to employees eligible under Hazardous Duty Code 4 and remove language stating any other positions approved by the deputy executive director; add laboratory technicians assigned to parole offices to employees eligible under Hazardous Duty Code 8; and make grammatical updates.

No public comments were received regarding the amendments.

The amendments are adopted under Texas Government Code §492.013, which authorizes the board to adopt rules; §508.001, which defines terms for general provisions regarding parole and mandatory supervision; §615.006, which outlines requirements for the designation of custodial personnel; §811.001, which defines terms for general provisions regarding Employees Retirement System of Texas; §813.506; which establishes guidelines for custodial officer service eligibility; §815.505, which establishes guidelines for the certification of names of law enforcement and custodial officers; and §659.301-.308, which establishes guidelines for hazardous duty pay compensation for state officers and employees.

Cross Reference to Statutes: None.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 20, 2025.

TRD-202503756

Stephanie Greger

General Counsel

Texas Department of Criminal Justice

Effective date: November 9, 2025

Proposal publication date: May 9, 2025

For further information, please call: (936) 437-6700

◆ ◆ ◆

CHAPTER 152. CORRECTIONAL INSTITUTIONS DIVISION

SUBCHAPTER B. CORRECTIONAL CAPACITY

37 TAC §152.25

The Texas Board of Criminal Justice (board) adopts amendments to §152.25, concerning Maximum Rated Capacity of Individual Units, with a change to the proposed text as published in the May 9, 2025, issue of the *Texas Register* (50 TexReg 2753). The rule will be republished. The adopted amendments update the maximum rated capacity of individual units. The change establishes the maximum rated capacity of the recently purchased Giles W. Dalby Unit as 1,906.

Two public comments were received regarding the amendments.

The first commenter suggests that the expansion of capacity would cause inmates that need protection from threats to be put in danger. The board disagrees. Specific housing assignments, including whether an inmate requires a single cell for security reasons, will continue to be made on an individualized basis. If an inmate who requires a single cell will be impacted by this change in capacity, then that inmate will be reassigned and housed appropriately to ensure security needs continue to be met.

The second commenter suggests that housing two death row inmates in a cell together would create an environment of increased violence and sexual assault. The board disagrees. The Texas Department of Criminal Justice will continue to consider

security factors when evaluating classification and placement. Death row inmates will continue to be housed in single cells.

The amendments are adopted under Texas Government Code §492.013, which authorizes the board to adopt rules; §494.001, which establishes the mission of the institutional division; and §499.102-.110, which establishes procedures for determining unit and system capacity.

Cross Reference to Statutes: None.

§152.25. *Maximum Rated Capacity of Individual Units.*

The Texas Board of Criminal Justice establishes the following maximum rated capacities for existing units.
Figure: 37 TAC §152.25

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 20, 2025.

TRD-202503757

Stephanie Greger

General Counsel

Texas Department of Criminal Justice

Effective date: November 9, 2025

Proposal publication date: May 9, 2025

For further information, please call: (936) 437-6700



PART 13. TEXAS COMMISSION ON FIRE PROTECTION

CHAPTER 421. STANDARDS FOR CERTIFICATION

37 TAC §§421.3, 421.5, 421.9, 421.11, 421.13, 421.15, 421.17

The Texas Commission on Fire Protection (the Commission) adopts amendments to 37 Texas Administrative Code §421.3, Minimum Standards Set by the Commission; §421.5, Definitions; §421.9, Designation of Fire Protection Duties; §421.11, Requirement To Be Certified Within One Year; §421.13, Individual Certificate Holders; §421.15, Extension of Training Period; and §421.17, Requirement to Maintain Certification.

The amended sections are adopted without changes to the text as published in the August 1, 2025, issue of the *Texas Register* (50 TexReg 5050) and will not be republished.

Reason for Adoption

The rule amendments are initiated to update language for clarity and consistency, including capitalization of "Commission" and minor corrections to wording throughout the chapter.

Public Comments

No comments were received from the public regarding the adoption of the amendments.

Statutory Authority

The amended sections are adopted under Texas Government Code §419.008, which authorizes the Commission to adopt or amend rules to perform the duties assigned to the Commission.

The rules are also adopted under Texas Government Code §419.032, which authorizes the Commission to adopt rules establishing the requirements for fire protection personnel.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503740

Mike Wisko

Agency Chief

Texas Commission on Fire Protection

Effective date: November 6, 2025

Proposal publication date: August 1, 2025

For further information, please call: (512) 936-3812



CHAPTER 425. FIRE SERVICE INSTRUCTORS

37 TAC §§425.1, 425.3, 425.5, 425.7, 425.9, 425.11

The Texas Commission on Fire Protection (the Commission) adopts amendments to 37 Texas Administrative Code §425.1, Minimum Standards for Fire Service Instructor Certification; §425.3, Minimum Standards for Fire Service Instructor I Certification; §425.5, Minimum Standards for Fire Service Instructor II Certification; §425.7, Minimum Standards for Fire Service Instructor III Certification; §425.9, Minimum Standards for Master Fire Service Instructor III Certification; and §425.11, International Fire Service Accreditation Congress (IFSAC) Seal. The amended sections are adopted without changes to the text as published in the August 1, 2025, issue of the *Texas Register* (50 TexReg 5059). The rule will not be republished. Reason for Adoption The amendments implement grammatical and editorial updates for clarity and consistency, including capitalization of "Commission," standardizing "Commission-approved," and related cleanups across Chapter 425.

Public Comments

No comments were received from the public regarding adoption of these amendments.

Statutory Authority

These amendments are adopted under Texas Government Code §419.008 and §419.032.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on October 17, 2025.

TRD-202503741

Mike Wisko

Agency Chief

Texas Commission on Fire Protection

Effective date: November 6, 2025

Proposal publication date: August 1, 2025

For further information, please call: (512) 936-3812



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 Review

Texas Juvenile Justice Department

Title 37, Part 11

In accordance with §2001.039, Government Code, the Texas Juvenile Justice Department (TJJD) has completed its review of 37 TAC, Part 11, Chapter 343, Secure Juvenile Pre-Adjudication Detention and Post-Adjudication Correctional Facilities. TJJD published its Notice of Intent to Review this chapter in the September 19, 2025, issue of the *Texas Register* (50 TexReg 6211). TJJD received no public comments on the proposed rule review.

As a result of the review, TJJD has determined that the original reasons for adopting Chapter 343 continue to exist but with amendments

needed. TJJD will propose amendments to this chapter in a future issue of the *Texas Register*.

This concludes TJJD's review of 37 TAC, Part 11, Chapter 343.

TRD-202503787

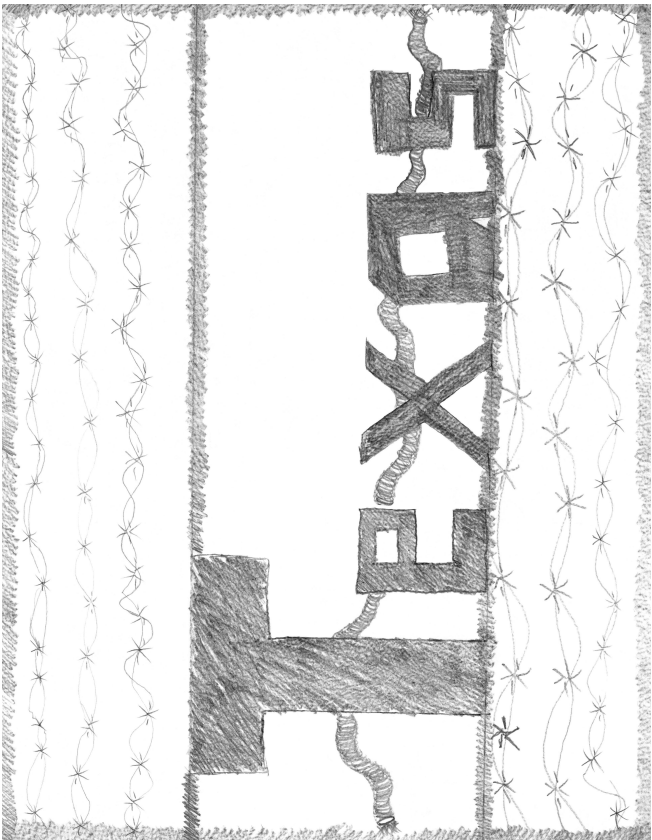
Jana Jones

General Counsel

Texas Juvenile Justice Department

Filed: October 21, 2025





TABLES & GRAPHICS

Graphic images included in rules are published separately in this tables and graphics section. Graphic images are arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic images are indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word “Figure” followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph, and so on.

Figure: 26 TAC §749.4427

What type of training is required?	Which kinship caregiver must receive the training?	How many hours of training are required?	When must the kinship caregiver complete the training?	What must the training curriculum include?
(1) General Caregiver Training.	(A) All kinship caregivers.	(B) 4 hours.	(C) Within 60 days after the child-placing agency (CPA) verifies the home.	(D)(i) Topics appropriate to the needs of children for whom the kinship caregiver will be providing care; (D)(ii) Trauma informed care; (D)(iii) Measures to prevent, recognize, and report suspected occurrences of child abuse (including sexual abuse); (D)(iv) Procedures to follow in emergencies, such as weather-related emergencies, volatile persons, and severe injury or illness of a child or adult; and (D)(v) Preventing the spread of communicable diseases.
(2) Emergency Behavior Intervention.	(A) All kinship caregivers.	(B) At least 6 hours.	(C) Within 60 days after the CPA verifies the home.	(D) The CPA must determine the appropriate curriculum.

(3) Safe Sleeping.	(A) Kinship caregivers who care for children younger than two years of age.	(B) No specified hours.	(C)(i) One kinship foster parent must complete the training before the CPA verifies the home; and (ii) Other kinship caregivers, including the second kinship foster parent must complete the training within 90 days following verification.	(D) The CPA must determine the appropriate curriculum.
(4) Administering Psychotropic Medication.	(A) Kinship caregivers who administer psychotropic medication.	(B) No specified hours.	(C) A kinship caregiver must complete the training before administering a psychotropic medication.	(D) The CPA must determine the appropriate curriculum.

Figure: 37 TAC §152.25

Unit Name	Capacity
Allred	4,452
Bartlett	1,049
Baten	420
Bell	520
Beto	3,578
Boyd	1,372
Bradshaw	1,980
Bridgeport	520
Briscoe	1,384
Byrd	1,365
Clemens	1,643
Clements	4,492
Coffield	4,346
Cole	900
Coleman	1,000
Connally	3,408
Cotulla	606
Crain	2,115
Dalby	1,906
Dalhart	1,398
Daniel	1,384
Diboll	518
Dominguez	2,276
Duncan	530
Ellis	2,589
Estelle	3,460
Estes	1,040
Ferguson	2,528
Formby	1,100
Fort Stockton	606
Garza East <i>(Includes co-located work camp.)</i>	2,458
Garza West	2,278
Gist	2,276
Glossbrenner	612
Goodman	612
Goree	1,321
Gurney	2,128

Halbert	612
Hamilton	1,166
Havins	596
Henley	576
Hightower	1,384
Hilltop	553
Hobby	1,384
Hodge	989
Holliday	2,120
Hospital Galveston <i>(Medical beds are not permanent housing and do not count toward capacity.)</i>	0
Hughes	3,464
Huntsville	1,705
Hutchins	2,276
Jester III	1,185
Johnston	612
Jordan	1,008
Kegans	667
Kyle	520
LeBlanc	1,224
Lewis	2,388
Lindsey	1,031
Lopez	1,100
Luther	1,316
Lychner	2,276
Lynaugh	1,416
Marlin	606
McConnell	3,460
Mechler	606
Memorial	2,038
Michael	3,785
Middleton	2,128
Montford	950
Moore, B.	500
Moore, C.	1,224
Murray	1,264
Neal	1,732
Ney	576
O'Daniel	645
Pack	1,426

Plane	2,296
Polunsky	3,464
Powledge	1,137
Ramsey	1,891
Roach	1,384
Robertson	3,458
Rudd	612
San Saba	606
Sanchez	1,100
Sayle	632
Scott	550
Segovia	1,224
Skyview	562
Smith	2,484
Stevenson	1,384
Stiles	3,367
Stringfellow	1,252
Telford	3,447
Terrell, C.T.	1,643
Torres	1,384
Travis Co.	1,161
Vance	378
Wainwright	2,581
Wallace <i>(Includes co-located work camp.)</i>	1,448
Ware	916
Wheeler	576
Willacy Co.	1,069
Woodman	900
Wynne	2,721
Young	328

MEMORANDUM OF UNDERSTANDING

Between the Texas Department of Criminal Justice, the Texas Health and Human Services Commission, the Texas Workforce Commission, and the Texas Department of State Health Services

This Memorandum of Understanding (MOU) is entered by and between the Texas Department of Criminal Justice (TDCJ); the Texas Health and Human Services Commission (HHSC); the Texas Workforce Commission (TWC), and the Texas Department of State Health Services (DSHS) for the purpose of establishing a continuity of care and services program for Offenders in the Texas Criminal Justice System who are elderly, have a mental impairment or physical disability, or have significant or terminal illness. Collectively the TDCJ, HHSC, TWC, and DSHS will be referred to as “Entities” in this MOU.

1. AUTHORITY AND PURPOSE:

Texas Health and Safety Code, Sections 614.013 – 614.015, requires the Entities to establish an MOU that sets out the Entities’ respective responsibilities to institute a continuity of care and services program for Offenders in the Texas Criminal Justice System who are elderly, have a mental impairment or physical disability, or have significant or terminal illness. Specifically, this MOU establishes methods for:

- A. Identifying Offenders in the Texas Criminal Justice System;
- B. Developing rules, policies, procedures, and standards for the coordination of care and services and for the interagency exchange of information on Offenders;
- C. Identifying services needed by Offenders in order to reenter the community successfully;
- D. Collecting and reporting prevalence rate data relating to Offenders with mental impairments to the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI); and
- E. Establishing a process to report implementation activities as they relate to Offenders with mental impairments to TCOOMMI.

2. DEFINITIONS:

- A. Offender, for purposes of this MOU and unless otherwise specified, means a juvenile or adult in the Texas Criminal Justice System who is arrested or charged with a criminal offense and who:
 - 1. Is elderly;
 - 2. Has a mental impairment;
 - 3. Has a physical disability; or
 - 4. Has a significant or terminal illness.
- B. Continuity of care and services refers to the process of:

1. Identifying the medical, psychiatric, or psychological care or treatment needs and educational or rehabilitative service needs of an Offender;
2. Developing a plan for meeting the treatment, care, and service needs of the Offender; and
3. Coordinating the provision of treatment, care, and services between the various Entities who provide treatment, care, or services such that they may continue to be provided to the Offender at the time of arrest, while charges are pending, during post-adjudication or post-conviction custody or criminal justice supervision, and for pretrial diversion.

3. TO THE EXTENT POSSIBLE, ALL ENTITIES AGREE TO:

- A. Comply with the statutory provisions in Texas Health and Safety Code Chapter 614 relating to the exchange of information, including electronic, on Offenders for the purpose of providing or coordinating services among the Entities, and, when appropriate, include such requirements in a policy or contract. If an Entity is unable to comply with Chapter 614, the Entity shall document the reason for non-compliance and submit the documentation to TCOOMMI.
- B. Coordinate provision of services in accordance with the Statewide Behavioral Health Coordinating Council Strategic Plan, which focuses on the elimination of redundancy and replication of service delivery to the Offender population.
- C. Develop and maintain policies and procedures ensuring continuity of care and services program for Offenders.
- D. Develop and maintain policies and procedures providing for the preparation and exchange of assessments and diagnostics for Offenders prior to the placement on community supervision, incarceration, or release to parole, and the transfer of such information on Offenders between local and state Entities described in this MOU.
- E. Participate in cross training and educational events as resources allow, targeted for improving each Entity's knowledge and understanding of the roles and responsibilities of the TDCJ, HHSC, TWC, and DSHS systems.
- F. Inform and provide each Entity with proposed policy or procedure changes affecting each Entity's ability to perform its responsibilities under this MOU. Each Entity shall be afforded 30 days after receipt of proposed change(s) to respond to the recommendations prior to the adoption.
- G. Provide updates to TCOOMMI on the implementation of this MOU semi-annually upon request, through verbal reports provided at regularly scheduled meetings of the TCOOMMI Advisory Committee (TAC) by persons named as official Entity representatives to the TAC.
- H. Actively seek federal grants or funds to operate and expand the service capability to include local and state criminal justice agencies contracting with the public mental health system for the purpose of maximizing Medicaid funding and other entitlements.
- I. Operate the continuity of care and services program for Offenders with funds appropriated for that purpose.

- J. Respond to data requests from the Entities regarding information relevant to continuity of care and services under this MOU.
- K. Designate a staff contact person to serve as liaison for communications regarding activities under this MOU.

4. THE TDCJ, THROUGH ITS DIVISIONS, SHALL:

- A. Provide the names of Offenders to the HHSC, TWC, and DSHS, and the nature of the individual's criminal offense (as needed) to verify prior or current service history.
- B. Develop and maintain a process to ensure any medical, diagnostic, treatment, and criminal offense information pertaining to an Offender will be exchanged with relevant local and state criminal justice agencies or other contract providers within 14 days of knowledge of change in diagnosis or treatment outcomes. The process shall reflect the reporting requirements in state and federal law.
- C. Ensure that an Offender who needs medication has access to a 30 day supply of that medication upon the Offender's release from a TDCJ facility.
- D. Contact the HHSC Deaf and Hard of Hearing Services Regional Specialist at least 60 days before the release of an Offender with hearing impairments from a TDCJ facility to ensure access to appropriate services and resources upon the Offender's release.
- E. Contact DSHS 30 days prior to the release of an Offender diagnosed with communicable or infectious diseases to ensure access to appropriate services and resources upon the Offender's release.
- F. Establish an internal policy or procedure to review Motion to Revoke cases involving any Offender. This review shall address interventions that have been made or should be made prior to final revocation action.
- G. Develop and maintain a process to ensure that TCOOMMI is notified when an Offender is placed in a Community Corrections Facility, State Intermediate Sanction Facility, a contracted Residential Reentry Center, a State-Substance Abuse Felony Punishment Facility, or moved from one county to another. This notification should occur prior to the placement to allow TCOOMMI to set up any psychiatric and/or medical services needed by the Offender.
- H. Develop and maintain a screening process to ensure that an Offender is medically stable prior to placement before being placed in a Community Corrections Facility, a State Intermediate Sanction Facility, a contracted Residential Reentry Center, a State-Substance Abuse Felony Punishment Facility, or moved from one county to another.

5. HHSC SHALL:

- A. Provide a list of regional staff contacts that will be the designated liaisons for all criminal justice referrals. This list shall include contact information regarding the HHSC Deaf and Hard of Hearing Services Regional Specialist who will be contacted 60 days prior to the release of Offenders with hearing impairments from TDCJ facilities.

- B. Participate in research or studies specific to Offender needs relevant to continuity of care and services, resources permitting.
- C. Subject to time and fiscal constraints, provide information, and/or coordinate training, and/or technical assistance to TCOOMMI and other participating Entities regarding HHSC services and consumer eligibility requirements.
- D. Provide and maintain a list of designated staff within each service area who responds to criminal justice referrals for services.
- E. Respond to the TDCJ's data requests to cross reference Offender data against relevant HHSC databases on Offenders regarding information relevant to continuity of care and services under this MOU.

6. TWC SHALL:

- A. Provide a list of regional staff contacts that will be the designated liaisons for all criminal justice referrals. This list shall include contacts for Texas Workforce Solutions-Vocational Rehabilitation Offices.
- B. Participate in research or studies specific to Offender needs relevant to continuity of care and services, resources permitting.
- C. Subject to time and fiscal constraints, provide information, and/or coordinate training, and/or technical assistance to TCOOMMI and other participating Entities concerning issues related to Offenders.
- D. Provide and maintain a list of designated staff within each service area who responds to criminal justice referrals for service.
- E. Respond to TDCJ's data requests to cross-reference Offender data against relevant TWC databases on Offenders regarding information relevant to continuity of care and services under this MOU.

7. DSHS SHALL:

- A. Provide a list of applicable division or department staff contacts that will be the designated liaisons for all criminal justice referrals.
- B. Participate in research or studies specific to Offender needs relevant to continuity of care and services, contingent on the approval of the DSHS Institutional Review Board, resources permitting.
- C. Subject to time and fiscal constraints, provide and/or coordinate training and/or technical assistance to TCOOMMI and other participating Entities concerning issues related to Offenders with medical or mental impairments.
- D. Respond to the TDCJ's data requests to cross-reference Offender data against relevant DSHS databases on Offenders regarding information relevant to continuity of care and services under this MOU.

8. REVIEW AND MONITORING:

TCOOMMI, in coordination with the Entities, shall develop a standardized process for collecting and reporting the MOU implementation outcomes. The findings of these reports shall be submitted to the Texas Board of Criminal Justice and the Legislature by September 1st of each even-numbered year and shall be included in recommendations in TCOOMMI's biennium report.

9. DISPUTE RESOLUTION:

The dispute resolution process provided for in Texas Government Code, Chapter 2009 shall be used by the Entities to attempt to resolve any claim for breach of contract made by any of the Entities that cannot be resolved in the ordinary course of business.

10. DURATION OF MEMORANDUM OF UNDERSTANDING:

This MOU shall be effective upon signature of the Entities and shall remain in effect unless cancelled by any Entity in accordance with the terms described within this document. A periodic review of this Agreement is required no later than the last month of each state fiscal year ending in five or zero.

11. CANCELLATION OR MODIFICATION OF AGREEMENT:

This MOU may be modified at any time in writing and by consent of all Entities, subject to any necessary approvals by each Entity's governing bodies. Changes shall be in the form of a modification and shall become effective upon signature by all Entities. This MOU may be cancelled by any Entity upon 30 days written notice to the other Entities.

12. RELATIONSHIP OF PARTIES:

The Entities are only associated for the purposes and to the extent set forth herein, and with respect to the performance of services hereunder, the Entities shall be independent contractors and shall have the sole right to supervise, manage, operate, control, and direct the performance of the details incident to their duties hereunder. Nothing contained herein shall be deemed or construed to create a partnership or joint venture, to create the relationships of an employer- employee or principal-agent, or to otherwise create any liability whatsoever with respect to the indebtedness, liabilities, and obligations of another Entity.

13. GOVERNING LAW:

This MOU shall be governed, construed, and enforced in accordance with the laws of the State of Texas.

14. NOTICES:

All notices required or permitted under this MOU shall be in writing and shall be deemed delivered when actually received, or if earlier, on the third day following deposit in the U.S. mail with proper postage affixed, addressed to the respective Entities at the addresses prescribed below or at such other address as the receiving Entity may have prescribed by notice to the sending Entity. Addresses for notices shall be as follows:

TDCJ:	Texas Department of Criminal Justice Rehabilitation and Reentry Division 4616 W Howard Lane, Suite 200 Austin, Texas 78728 Attn: TCOOMMI Manager
HHSC:	Texas Health and Human Services Commission 4601 West Guadalupe Street Austin, Texas 78751-3146 Attn: Cecile Young
TWC:	Texas Workforce Commission 101 East 15 th Street Austin, Texas 78778 Attn: Vocational Rehabilitation Division Director
DSHS:	Texas Department of State Health Services 1100 West 49 th Street Austin, Texas 78756 Attn: Jennifer Shuford, MD, MPH

15. CERTIFICATION:

IN WITNESS WHEREOF, the Entities have executed this MOU by the signatures of the duly authorized representative of each on the dates indicated.

Ron Steffa, Chief Financial Officer
Texas Department of Criminal Justice

Date

Cecile Young, Executive Commissioner
Texas Health and Human Services Commission

Date

Ed Serna, Executive Director
Texas Workforce Commission

Date

Jennifer Shuford, MD, MPH, Commissioner
Texas Department of State Health Services

Date

IN ADDITION

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings issued by the Office of Consumer Credit Commissioner, and consultant proposal requests and awards. State agencies also may publish other notices of general interest as space permits.

Texas State Affordable Housing Corporation

RFP for Bond Counsel for Single Family & Multifamily Private Activity Bond Programs

Notice is hereby given by TSAHC of a Request for Proposals (RFP) for Bond Counsel for Single Family & Multifamily Private Activity Bond Programs. A copy of the RFP is available on the Corporation's website at: www.tsahc.org.

All public comments, questions, and/or submissions regarding this RFP may be submitted via email to Michael Wilt at: mwilt@tsahc.org.

The Corporation will accept written responses received on or before December 5, 2025, at 5:00 p.m. (CT).

TRD-202503794

David Long
President

Texas State Affordable Housing Corporation

Filed: October 21, 2025



RFP for Underwriter Services

Notice is hereby given by TSAHC of a Request for Proposals (RFP) for Underwriter Services. A copy of the RFP is available on the Corporation's website at: www.tsahc.org.

All public comments or questions about the RFP may be submitted via email to: mwilt@tsahc.org.

The Corporation will accept written responses received on or before December 5, 2025, at 5:00 p.m. (CT).

TRD-202503795

David Long
President

Texas State Affordable Housing Corporation

Filed: October 21, 2025



Office of the Attorney General

Texas Health and Safety Code and Texas Water Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Health and Safety Code and the Texas Water Code. Before the State may enter into a voluntary settlement agreement, pursuant to section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *Harris County, Texas and the State of Texas, a Necessary and Indispensable Party v. Alamo Concrete Products, Co.*;

Cause No. 2025-05612; in the 157th District Court of Harris County, Texas.

Background: Defendant Alamo Concrete Products, Co. operates a concrete batch plant, located at 11206 FM 529, Houston, Texas 77040, in a manner that did not comply with various state environmental laws, regulations, and local code provisions. Harris County, Texas filed suit against Defendants for violations of the Texas Clean Air Act, the Texas Water Code, Texas Solid Waste Disposal Act, related state regulations, and local code provisions. The State of Texas, acting on behalf of the Texas Commission on Environmental Quality, joined the lawsuit as a necessary and indispensable party. The State, Harris County, and Alamo Concrete Products, Co. have reached a settlement agreement to resolve the pending claims against the defendant.

Proposed Settlement: The State, Harris County, and Alamo Concrete Products, Co., propose an Agreed Final Judgment that awards the State and Harris County the following monetary judgments against Alamo Concrete Products, Co.: \$5,000.00 in civil penalties for the state-law claims, to be split equally between the State and Harris County, and \$2,281.25 in attorney's fees to the State.

For a complete description of the proposed settlement, the Agreed Final Judgment should be reviewed in its entirety. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Marcos De Hoyos, Assistant Attorney General, Office of the Texas Attorney General, P.O. Box 12548, MC-066, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911, email: marcos.dehoyos@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202503807

Justin Gordon
General Counsel
Office of the Attorney General
Filed: October 21, 2025



Office of Consumer Credit Commissioner

Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §303.003, and §303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 10/27/25-11/02/25 is 18.00% for consumer¹ credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 10/27/25-11/02/25 is 18.00% for commercial² credit.

¹ Credit for personal, family, or household use.

² Credit for business, commercial, investment, or other similar purpose.

TRD-202503800

◆ ◆ ◆
Credit Union Department

Application for a Merger or Consolidation

Notice is given that the following application has been filed with the Credit Union Department (Department) and is under consideration:

An application was received from Smart Financial Credit Union (Houston) seeking approval to merge with Texas Dow Employees Credit Union (Lake Jackson), with the latter being the surviving credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-202503792
Michael S. Riepen
Commissioner
Credit Union Department
Filed: October 21, 2025

◆ ◆ ◆
Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **December 4, 2025**. TWC, §7.075 also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A physical copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Additionally, copies of the proposed AO can be found online by using either the Chief Clerk's eFiling System at <https://www.tceq.texas.gov/goto/efilings> or the TCEQ Commissioners' Integrated Database at <https://www.tceq.texas.gov/goto/cid>, and searching either of those databases with the proposed AO's identifying information, such as its docket number. Written comments about

an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at Enforcement Division, MC 128, P.O. Box 13087, Austin, Texas 78711-3087 and must be postmarked by 5:00 p.m. on **December 4, 2025**. Written comments may also be sent to the enforcement coordinator by email to ENF-COMNT@tceq.texas.gov or by facsimile machine at (512) 239-2550. The commission enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed contact information; however, TWC, §7.075 provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: Aqua Texas, Inc.; DOCKET NUMBER: 2024-0328-MWD-E; IDENTIFIER: RN102343035; LOCATION: Manor, Travis County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$28,968; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$11,587; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(2) COMPANY: Aqua Texas, Inc.; DOCKET NUMBER: 2025-0687-PWS-E; IDENTIFIER: RN102677739; LOCATION: Boerne, Kendall County; TYPE OF FACILITY: public water supply; PENALTY: \$6,050; ENFORCEMENT COORDINATOR: Deshaune Blake, (210) 403-4033; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(3) COMPANY: Aqua Texas, Inc.; DOCKET NUMBER: 2025-0722-PWS-E; IDENTIFIER: RN102286762; LOCATION: Leander, Williamson County; TYPE OF FACILITY: public water supply; PENALTY: \$750; ENFORCEMENT COORDINATOR: Savannah Jackson, (512) 239-4306; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(4) COMPANY: City of Alvord; DOCKET NUMBER: 2022-0285-MWD-E; IDENTIFIER: RN102476272; LOCATION: Alvord, Wise County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$9,400; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$7,520; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(5) COMPANY: City of Kingsville; DOCKET NUMBER: 2022-1551-MLM-E; IDENTIFIER: RN102334570; LOCATION: Kingsville, Kleberg County; TYPE OF FACILITY: landfill; PENALTY: \$29,900; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$23,920; ENFORCEMENT COORDINATOR: Stephanie McCurley, (512) 239-2607; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(6) COMPANY: City of La Marque; DOCKET NUMBER: 2023-1311-MWD-E; IDENTIFIER: RN101917284; LOCATION: La Marque, Galveston County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$195,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$195,000; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(7) COMPANY: Cresson Crossroads, LLC; DOCKET NUMBER: 2025-0295-PWS-E; IDENTIFIER: RN105247688; LOCATION: Cresson, Hood County; TYPE OF FACILITY: public water supply; PENALTY: \$5,120; ENFORCEMENT COORDINATOR: Emerson Rinewalt, (512) 239-1131; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(8) COMPANY: Dallas Independent School District; DOCKET NUMBER: 2024-0015-PST-E; IDENTIFIER: RN102245214; LOCATION:

Dallas, Dallas County; TYPE OF FACILITY: fleet refueling facility; PENALTY: \$7,750; ENFORCEMENT COORDINATOR: Rachel Murray, (903) 535-5149; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, REGION 05 - TYLER.

(9) COMPANY: GREENVILLE MHC, LLC; DOCKET NUMBER: 2024-1623-WQ-E; IDENTIFIER: RN111365797; LOCATION: Greenville, Hunt County; TYPE OF FACILITY: construction site; PENALTY: \$9,450; ENFORCEMENT COORDINATOR: Alejandra Basave, (713) 767-3751; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(10) COMPANY: IBJ LOGISTICS LLC; DOCKET NUMBER: 2025-0462-MSW-E; IDENTIFIER: RN112058888; LOCATION: Waco, McLennan County; TYPE OF FACILITY: emergency response site; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Rachel Murray, (903) 535-5149; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, REGION 05 - TYLER.

(11) COMPANY: INEOS USA LLC; DOCKET NUMBER: 2025-1165-AIR-E; IDENTIFIER: RN100238708; LOCATION: Alvin, Brazoria County; TYPE OF FACILITY: chemical manufacturing plant; PENALTY: \$16,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$8,125; ENFORCEMENT COORDINATOR: Amy Cox, (512) 239-4631; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(12) COMPANY: M & H Manufacturing, Inc.; DOCKET NUMBER: 2023-1672-WQ-E; IDENTIFIER: RN110867025; LOCATION: Longview, Gregg County; TYPE OF FACILITY: general sawmill; PENALTY: \$14,525; ENFORCEMENT COORDINATOR: Alejandra Basave, (713) 767-3751; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(13) COMPANY: MELTON, ALAN; DOCKET NUMBER: 2025-0487-MSW-E; IDENTIFIER: RN112026869; LOCATION: Vidor, Orange County; TYPE OF FACILITY: unauthorized municipal solid waste disposal site; PENALTY: \$3,937; ENFORCEMENT COORDINATOR: Rachel Murray, (903) 535-5149; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, REGION 05 - TYLER.

(14) COMPANY: Martin Marietta Materials Southwest, LLC; DOCKET NUMBER: 2025-0847-EAQ-E; IDENTIFIER: RN104910823; LOCATION: Georgetown, Williamson County; TYPE OF FACILITY: quarry; PENALTY: \$750; ENFORCEMENT COORDINATOR: Jasmine Jimerson, (512) 239-2552; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(15) COMPANY: Norit Americas, Inc.; DOCKET NUMBER: 2025-0326-WQ-E; IDENTIFIER: RN102609724; LOCATION: Marshall, Harrison County; TYPE OF FACILITY: activated carbon manufacturing facility; PENALTY: \$21,166; ENFORCEMENT COORDINATOR: Alejandra Basave, (713) 767-3751; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(16) COMPANY: O'Reilly Auto Enterprises, LLC; DOCKET NUMBER: 2025-0539-MSW-E; IDENTIFIER: RN104795208; LOCATION: Woodville, Tyler County; TYPE OF FACILITY: used oil collection center; PENALTY: \$375; ENFORCEMENT COORDINATOR: Rachel Murray, (903) 535-5149; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, REGION 05 - TYLER.

(17) COMPANY: Oasis Resort Properties, LLC; DOCKET NUMBER: 2025-0768-PWS-E; IDENTIFIER: RN112108741; LOCATION: Concan, Uvalde County; TYPE OF FACILITY: public water supply; PENALTY: \$1,250; ENFORCEMENT COORDINATOR: Emerson

Rinewalt, (512) 239-1131; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(18) COMPANY: PEREZ, JOHN P; DOCKET NUMBER: 2025-1551-WOC-E; IDENTIFIER: RN106148273; LOCATION: Smiley, Gonzales County; TYPE OF FACILITY: operator; PENALTY: \$175; ENFORCEMENT COORDINATOR: Ilia Perez Ramirez, (512) 239-2556; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(19) COMPANY: Pinewood Community Limited Partnership; DOCKET NUMBER: 2025-0929-PWS-E; IDENTIFIER: RN101281939; LOCATION: Tomball, Harris County; TYPE OF FACILITY: public water supply; PENALTY: \$225; ENFORCEMENT COORDINATOR: Savannah Jackson, (512) 239-4306; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(20) COMPANY: Plains Baptist Assembly; DOCKET NUMBER: 2025-0764-PWS-E; IDENTIFIER: RN101232262; LOCATION: Floydada, Floyd County; TYPE OF FACILITY: public water supply; PENALTY: \$262; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(21) COMPANY: S&S United Group Inc; DOCKET NUMBER: 2023-1632-PST-E; IDENTIFIER: RN105113302; LOCATION: Fort Worth, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; PENALTY: \$24,990; ENFORCEMENT COORDINATOR: Rachel Murray, (903) 535-5149; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, REGION 05 - TYLER.

(22) COMPANY: Shumaker Enterprises, Inc.; DOCKET NUMBER: 2025-0869-PWS-E; IDENTIFIER: RN100720234; LOCATION: Austin, Travis County; TYPE OF FACILITY: public water supply; PENALTY: \$2,000; ENFORCEMENT COORDINATOR: Savannah Jackson, (512) 239-4306; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(23) COMPANY: Singh & Toor Enterprise LLC; DOCKET NUMBER: 2025-0549-PST-E; IDENTIFIER: RN102891819; LOCATION: Paint Rock, Concho County; TYPE OF FACILITY: convenience store with retail sales of gasoline; PENALTY: \$10,375; ENFORCEMENT COORDINATOR: Eresha DeSilva, (713) 767-3669; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(24) COMPANY: Wang, Haijun; DOCKET NUMBER: 2025-0659-OSS-E; IDENTIFIER: RN105378582; LOCATION: Pearland, Brazoria County; TYPE OF FACILITY: on-site sewage facility; PENALTY: \$2,750; ENFORCEMENT COORDINATOR: Jasmine Jimerson, (512) 239-2552; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(25) COMPANY: Z & H Business Venture, Inc; DOCKET NUMBER: 2025-0728-PST-E; IDENTIFIER: RN101541829; LOCATION: Grand Prairie, Dallas County; TYPE OF FACILITY: operator; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Adriana Fuentes, (956) 425-6010; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, REGION 15 - HARLINGEN.

TRD-202503781

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: October 21, 2025

◆ ◆ ◆

Enforcement Orders

An agreed order was adopted regarding the City of Driscoll, Docket No. 2021-0802-MWD-E on October 22, 2025 assessing \$39,000 in administrative penalties with \$7,800 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Smith, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Huntington, Docket No. 2021-1169-MWD-E on October 22, 2025 assessing \$227,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding Big State Concrete, LLC, Docket No. 2022-0441-AIR-E on October 22, 2025 assessing \$5,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Pack Ellis, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was adopted regarding B&D Blasting, LLC, Docket No. 2022-0812-AIR-E on October 22, 2025 assessing \$5,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Jennifer Peltier, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Highway 19 Construction LLC, Docket No. 2022-1082-MLM-E on October 22, 2025 assessing \$115,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Casey Kurnath, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Daikin Comfort Technologies Manufacturing, L.P., Docket No. 2022-1616-IWD-E on October 22, 2025 assessing \$16,312 in administrative penalties with \$3,262 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas

An agreed order was adopted regarding Mike Jakopic dba Rayburn Water and Sherri Jakopic dba Rayburn Water, Docket No. 2022-1676-PWS-E on October 22, 2025 assessing \$26,237 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting William Hogan, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Cayuga Independent School District, Docket No. 2023-0610-MWD-E on October 22, 2025 assessing \$14,250 in administrative penalties with \$2,850 deferred. Information concerning any aspect of this order may be obtained by contacting Taylor Williamson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Quail Run Services, LLC, Docket No. 2023-1115-MWD-E on October 22, 2025 assessing \$18,852 in administrative penalties with \$3,770 deferred. Information concerning any aspect of this order may be obtained by contacting Kolby Farren, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding DCP Operating Company, LP, Docket No. 2023-1220-AIR-E on October 22, 2025 assessing \$19,125 in administrative penalties with \$3,825 deferred. Information concerning any aspect of this order may be obtained by contacting Morgan Kopcho, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Oxy Vinyls, LP, Docket No. 2023-1226-AIR-E on October 22, 2025 assessing \$25,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Christina Ferrara, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Harris County Municipal Utility District No. 82, Docket No. 2023-1325-MWD-E on October 22, 2025 assessing \$105,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Williamson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding EQUISTAR CHEMICALS, LP, Docket No. 2023-1339-AIR-E on October 22, 2025 assessing \$12,600 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Krystina Sepulveda, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ONEOK Hydrocarbon Southwest, LLC, Docket No. 2023-1368-AIR-E on October 22, 2025 assessing \$19,050 in administrative penalties with \$3,810 deferred. Information concerning any aspect of this order may be obtained by contacting Krystina Sepulveda, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ICU MEDICAL, INC., Docket No. 2023-1500-MLM-E on October 22, 2025 assessing \$53,413 in administrative penalties with \$10,682 deferred. Information concerning any aspect of this order may be obtained by contacting Eresha DeSilva, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Luminant Generation Company LLC, Docket No. 2023-1738-IWD-E on October 22, 2025 assessing \$16,650 in administrative penalties with \$3,330 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Smith, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding PLEASANT OAKS LANDFILL TX, LP, Docket No. 2023-1782-MSW-E on October 22, 2025 assessing \$45,577 in administrative penalties with \$9,115 deferred. Information concerning any aspect of this order may be obtained by contacting Stephanie McCurley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Wilson County, Docket No. 2024-0011-MLM-E on October 22, 2025 assessing \$15,751 in administrative penalties with \$3,150 deferred. Information concerning any aspect of this order may be obtained by contacting Adriana Fuentes, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding XTO Energy Inc., Docket No. 2024-1019-AIR-E on October 22, 2025 assessing \$18,938 in administrative penalties with \$3,787 deferred. Information concerning any aspect of this order may be obtained by contacting Caleb Martin, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Hedgefield, LLC, Docket No. 2024-1253-WQ-E on October 22, 2025 assessing \$13,041 in administrative penalties with \$2,608 deferred. Information concerning any aspect of this order may be obtained by contacting Alejandra Basave, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Lucky Star RVP, LLC, Docket No. 2024-1853-PWS-E on October 22, 2025 assessing \$3,850 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Katherine McKinney, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Chillicothe, Docket No. 2024-1976-PWS-E on October 22, 2025 assessing \$3,250 in administrative penalties with \$2,500 deferred. Information concerning any aspect of this order may be obtained by contacting Corinna Willis, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Pilot Thomas Logistics LLC dba Pilot Thomas Logistics Card Lock 8620, Docket No. 2025-0012-PST-E on October 22, 2025 assessing \$16,276 in administrative penalties with \$3,255 deferred. Information concerning any aspect of this order may be obtained by contacting Celicia Garza, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Undine Texas, LLC, Docket No. 2025-0265-PWS-E on October 22, 2025 assessing \$937 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Mason DeMasi, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of New Home, Docket No. 2025-0336-MLM-E on October 22, 2025 assessing \$16,498 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Katherine Argueta, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202503812

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 22, 2025



Notice of an Application for an Extension of Time to Complete Construction of a Project Authorized by Certificate of Adjudication Application No. 12-4355A

Notices Issued October 16, 2025

City of Marlin seeks, P.O. Box 66376, Marlin, Texas 78766, authorization to extend the time to complete construction of Brushy Creek Dam and Reservoir on Brushy Creek, Brazos River Basin, in Falls County. More information on the application and how to participate in the permitting process is given below.

The Applicant seeks an extension of time to complete construction of Brushy Creek Dam and Reservoir. The Applicant proposes to complete construction by May 8, 2029.

The application was received on April 16, 2024, and fees were received on April 18, 2024. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on August 13, 2025.

The Executive Director has completed the technical review of the application and prepared a draft Order. The draft Order, if granted, would authorize the extension of time to complete construction until May 8, 2029. The application, technical memoranda and Executive Director's draft Order are available for viewing on the TCEQ webpage at: https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps. Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

Written public comments and requests for a public meeting should be submitted to the Office of Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed within 30 days from the date of newspaper publication of this notice. The Executive Director may approve the application unless a written request for a contested case hearing is filed within 30 days after newspaper publication of this notice.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

Written hearing requests, public comments, or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering ADJ 4355 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our website at www.tceq.texas.gov. Si desea información en español, puede llamar al (800) 687-4040 o por el internet al <http://www.tceq.texas.gov>.

TRD-202503810



Notice of District Petition - D-08132025-027

Notice issued October 22, 2025

TCEQ Internal Control No. D-08132025-027: Ranger Ridge, LTD., a Texas limited partnership, Estates at Ranger Ridge, LLC, a Texas limited liability company, and 2017 Holtman Descendents Trust, (Petitioners) filed a petition for creation of Ranger Ridge Municipal Utility District of Palo Pinto County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners hold title to a majority in value of the land to be included in the proposed District; (2) there is one lienholder, UMB Financial Corporation, on the property to be included in the proposed District and information provided indicates that the lienholder consents to the creation of the proposed District; (3) the proposed District will contain approximately 2,581.63 acres located within Palo Pinto County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the proposed District will: (1) purchase, construct, acquire, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of, and control domestic, and commercial wastes; (3) gather, conduct, divert, abate, amend, and, control local storm water or other local harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend inside and outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consistent with all of the purposes for which the proposed District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$20,350,000 for water facilities.

INFORMATION SECTION

To view the complete issued notice, view the notice on our website at www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results. The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a con-

tested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at www.tceq.texas.gov.

TRD-202503811

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: October 22, 2025



Notice of District Petition - D-08282025-050

Notice issued October 17, 2025

TCEQ Internal Control No. D-08282025-050: Sunrise Partners, LLC, a Texas limited liability company, HMP Ranch, LTD., a Texas limited partnership (Petitioners) filed a petition for creation of HMP Ranch Municipal Utility District No. 1 of Johnson County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 511.650 acres located within Johnson County, Texas; and (4) all of the land within the proposed District is located in an unincorporated area and is not located within the corporate limits or extraterritorial jurisdiction of any city or town. The petition further states that the proposed District will: (1) construct, maintain, and operate a waterworks and sanitary sewer system for domestic and commercial purposes; (2) construct, maintain, and operate a sanitary sewer collection, treatment and disposal system, for domestic and commercial purposes; (3) construct, install, maintain, purchase and operate drainage and roadway facilities, and improvements; and construct, install, maintain, purchase and (4) operate, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$135,575,000 for water, wastewater, and drainage, recreation and roads.

INFORMATION SECTION

To view the complete issued notice, view the notice on our website at www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results. The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representa-

tive), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at www.tceq.texas.gov.

TRD-202503809

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 21, 2025



Notice of District Petition - D-09102025-010

Notice issued October 17, 2025

TCEQ Internal Control No. D-09102025-010: Hillsboro Economic Development Corporation (the Petitioner) filed a petition for the creation of Hillsboro Municipal Management District No. 1 (District) of Hill County with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 of the Texas Water Code; Chapter 375 of Local Texas Government Code, 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners hold a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 293.84 acres located within Hill County, Texas; and (4) the District is entirely within the corporate limits of the City of Hillsboro. The petition further states that the proposed District will: (1) purchase, construct, acquire, maintain, own, operate, repair, improve and extend a waterworks and wastewater system for residential and commercial purposes; (2) construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) control, abate, and amend local storm waters or other harmful excesses of waters; and (4) purchase, construct, acquire, improve, maintain, and operate such additional facilities, systems, plants, and enterprises, road facilities, as shall be consistent with all of the purposes for which the proposed District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$37,530,000 (\$26,860,000 for water, wastewater, and drainage plus \$10,670,000 for roads).

INFORMATION SECTION

To view the complete issued notice, view the notice on our website at www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results. The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at www.tceq.texas.gov.

TRD-202503808

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 21, 2025



Notice of Opportunity to Comment on an Agreed Order of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Order (AO) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AO, the commission shall allow the public an opportunity to submit written comments on the proposed AO. TWC, §7.075, requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **December 4, 2025**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A physical copy of the proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Additionally, copies of the proposed AO can be found online by using either the Chief Clerk's eFiling System at <https://www.tceq.texas.gov/goto/efilings> or the TCEQ Commissioners' Integrated Database at <https://www.tceq.texas.gov/goto/cid>, and searching either of those databases with the proposed AO's identifying information, such as its docket number. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on December 4, 2025**. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: LAKEVIEW WATER SUPPLY & SEWER SERVICE CORPORATION; DOCKET NUMBER: 2022-1516-PWS-E; TCEQ ID NUMBER: RN101278307; LOCATION: approximately 0.17 miles north of the intersection of County Road 14 and Farm-to-Market Road 3517 near Lakeview, Hall County; TYPE OF FACILITY: a public water system; PENALTY: \$7,425; STAFF ATTORNEY: Laney Foeller, Litigation, MC 175, (512) 239-6226; REGIONAL OFFICE: Amarillo Regional Office, 3918 Canyon Drive, Amarillo, Texas 79109-4933, (806) 353-9251.

TRD-202503784

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: October 21, 2025



Tenaha Wood Legal Notice

Notice of Intent to Perform a Removal Action at the Tenaha Wood Treating Proposed State Superfund Site, (Tenaha, Shelby County, Texas)

The executive director of the Texas Commission on Environmental Quality (TCEQ) hereby issues public notice of intent to perform a removal action, in accordance with Texas Health and Safety Code (THSC), §361.133(i), for the Tenaha Wood Treating state Superfund site (the site).

The site comprises approximately six acres and is located south of the city limits of Tenaha, at 275 County Road 4382 in Shelby County, Texas. The site also includes any areas where hazardous substances have come to be located as either a direct or indirect result of releases of hazardous substances from the site. The site is fenced on all sides and is improved with a single-family residence on the southeast portion of the site.

The site was proposed for listing on the state Superfund registry in the December 2, 2005 issue of the *Texas Register* (30 TexReg 8213), pursuant to THSC, Chapter 361, Subchapter F.

The site is a former wood treating facility that operated from approximately 1980 to 1985 using both pentachlorophenol (PCP) and chromated copper arsenate. Leaks and spills of wood preservatives, as well as improper waste management practices, resulted in the release of arsenic, chromium, PCP, and dioxins into the environment. Arsenic, chromium, PCP, and dioxins are hazardous substances listed in 40 Code of Federal Regulations §302.4 and, therefore, are hazardous substances under the Texas Solid Waste Disposal Act (THSC, Chapter 361).

The removal action will consist of necessary and appropriate measures to mitigate releases of hazardous substances to the environment, including the removal and proper disposal of contaminated soil that is an ongoing source of contamination to the environment. This removal action is appropriate to protect human health and the environment, can be completed without extensive investigation and planning, and will achieve a significant cost reduction for the site.

TCEQ has established a site record repository, accessible during business hours, at the at the Fannie Brown Booth Memorial Library, 619 Tenaha Street, Center, Texas 75935, telephone (936) 598-5522. Requests to obtain copies of TCEQ's public records concerning the site may be submitted to the Central File Room through e-mail, at cfrreq@tceq.texas.gov. TCEQ Central File Room electronic records are also accessible online, at <https://www.tceq.texas.gov/agency/data/records-services>. Non-electronic records can be viewed at the TCEQ Central Viewing Area by appointment arranged via e-mail at cfrreq@tceq.texas.gov. For further information, please contact the TCEQ project manager for the site, Midori Campbell, P.E., at (512) 239-2077. For additional assistance obtaining site documents, you may contact John Flores, community relations liaison, at (800) 633-9363 or e-mail your request to superfnd@tceq.texas.gov. Information is also available on the site's webpage, at <https://www.tceq.texas.gov/remediation/superfund/state/tenaha.html>.

TRD-202503776

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: October 20, 2025



Texas Health and Human Services Commission

Correction of Error

The Texas Health and Human Services Commission (HHSC) proposed an amendment to 25 TAC §37.21 in the October 10, 2025, issue of the *Texas Register* (50 TexReg 6639). Due to an error by the Texas Register, the amendment was published incorrectly. The rule should read as follows:

§37.21. Purpose.

This [The purpose of this] subchapter implements [is to implement] Texas Health and Safety Code[.] Chapter 36, concerning the early identification of individuals from birth through 20 years old [of age] who have special senses and communication disorders and [who] need remedial vision, hearing, speech, or language services.

TRD-202503737



Public Notice

The Texas Health and Human Services Commission (HHSC) is submitting a request to the Centers for Medicare & Medicaid Services (CMS) to amend the waiver application for the Deaf Blind with Multiple Disabilities (DBMD) program. HHSC administers the DBMD Program under the authority of Section 1915(c) of the Social Security Act. CMS has approved the DBMD waiver application through February 29, 2028. The proposed effective date for this amendment is March 15, 2026.

The amendment request proposes to make changes to Appendix C, D, and I of the waiver application to update Texas Administrative Code (TAC) references and clarify language throughout to align with ex-

isting TAC. Additional changes were made to the formal monitoring frequency for program providers and Financial Monitoring Services Agencies (FMSAs) following a determination of acceptable compliance during an intermittent monitoring review. HHSC updated performance measure language to align with the updated monitoring frequency.

The request proposes to amend Appendix I of the waiver application based on the 2026-27 General Appropriations Act, Senate Bill 1, 89th Legislature, Regular Session, 2025, (Article II, HHSC, Rider 29) to include HHSC policies on the bypass and claims matching process during disasters or temporary circumstances that may disrupt the delivery of services but are out of the provider's or FMSAs control. HHSC also clarified existing Electronic Visit Verification (EVV) policies.

Appendix C

For all DBMD services except prescribed drugs, HHSC added the language about intermittent monitoring reviews for the home and community support services agency provider type in the Frequency of Verification section:

"If the provider achieves an acceptable level of compliance during the intermittent monitoring, contracts staff will conduct the next formal monitoring within two years."

For DBMD services available through the consumer directed services option, HHSC added the following FMSA intermittent monitoring language to the consumer directed services (CDS) provider type in the Frequency of Verification section:

"If the FMSA achieves an acceptable level of compliance during the intermittent monitoring, contracts staff will conduct the next formal monitoring within three years".

HHSC as applicable updated the term "objectives" to "outcomes" and updated the term "individual" to "employer".

HHSC as applicable, updated TAC referencing §260.203 to §260.205

HHSC for financial management services updated the term "individual" to "employer"

HHSC updated the individualized skills and socialization service definition, to remove "and implementation plan" and add "individual program."

HHSC added language to clarify that "supported employment" may not be provided at the same time as employment assistance and deleted employment assistance from the list of services since the section is about employment assistance.

HHSC added the following language for the transition assistance service in the Frequency of Verification section:

"Contracts staff must conduct an intermittent monitoring for providers that do not meet an acceptable compliance level during formal monitoring reviews. If the provider achieves an acceptable level of compliance during the intermittent monitoring, contracts staff will conduct the next formal monitoring within two years."

In the Quality Improvement section, HHSC replaced the following language to align with policy: "provider agreement/contract has been awarded" with "initial monitoring has been completed".

HHSC deleted the following language in the Quality Improvement: Methods for Discovery: Qualified Providers section to align with current policy: HHSC Contract Oversight and Support administers the HHSC System of Contract Operation and Reporting. The HHSC System of Contract Operation and Reporting is a custom-developed Health and Human Service Enterprise application with a consolidated database for contract information and reporting. On a monthly basis, HHSC

Contracts staff enter the complaint intake, complaint investigation findings, and contract and fiscal compliance monitoring results into the HHSC System of Contract Operation and Reporting. Contract Oversight and Support also utilizes the HHSC System of Contract Operation and Reporting to enter information pertaining to contract actions and sanctions. Through the HHSC System of Contract Operation and Reporting features, information pertaining to contract expenditures, compliance, and overall history is available for analysis, trending and reporting by the Contract Oversight and Support unit.

Appendix D:

To align with policy, HHSC revised language in the Quality Improvement: Methods for Remediation/Fixing Individual Problems: Qualified Providers section. New language reads as "If, during a contract monitoring review, a provider is discovered to be out of substantial compliance with contractual or programmatic requirements, the provider agency is required to submit a corrective action plan to HHSC." HHSC also added clarifying language to the corrective action plan elements.

Appendix I

HHSC as applicable, removed the term "provider" and replaced it with contractor.

HHSC added "desk reviews" to the contract staff pre-monitoring activities, and "provide the sample list (on-site reviews)" to the contract staff monitoring activities.

HHSC clarified that after monitoring the contract staff make a referral to the contract manager and removed the reference to the Adverse Action Review Committee.

HHSC added the following language related to electronic visit verification (EVV) in I-1 "Financial Integrity" section.

"In the DBMD program, Personal Care Services requiring EVV are in-home respite. Home Health Care Services requiring EVV in the DBMD program, for a member who does not receive assisted living services, are any nursing service, occupational therapy and physical therapy service, when provided in the individual's residence.

A service provider or Consumer Directed Services (CDS) employee must use an HHSC-approved clock in and clock out method to begin and end service delivery when providing EVV services to an individual in the home or the community.

Three clock in and clock out methods are approved by HHSC; the Mobile Method, the Home Phone Landline method and the Alternative Device method. All clock in and clock out methods capture the type of service provided, the name of the individual to whom the service is provided, the date and times the provider began and ended the service delivery visit, the location, including the address, where the service is provided and the name of the person who provided the service. If a service provider or CDS employee fails to clock in or out of the EVV system or an HHSC-approved clock in or clock out method is not available, a program provider, FMSA, or CDS employer must manually enter an EVV visit into the EVV system.

HHSC may temporarily set the EVV claims matching process to bypass EVV claims in response to a disaster or temporary circumstances outside of the provider's or FMSA's control that may disrupt delivery of services."

Performance Measures

For performance measure C.b.1, HHSC updated the data source to "Other" and changed the sampling approach from less than 100 percent review to "100 percent Review" and unchecked the box in "other" and removed the language that stated, "FMSA legal entities are selected for

monitoring based on contract effective date, previous formal or intermittent monitoring exit date, overall compliance score of the previous formal monitoring and expenditures".

HHSC revised performance measure C.b.2 The revised measure reads as, "Number and percent of monitored FMSA contracts that met program and fiscal monitoring requirements, evidenced by an overall monitoring score of at least 90%. N: Number of monitored FMSA contracts that met program and fiscal monitoring requirements, evidenced by an overall monitoring score of at least 90%. D: Number of FMSA contracts monitored." For this measure, the sample was clarified to indicate, "Maximum sample of 30 is selected per FMSA legal entity monitoring".

HHSC revised performance measure C.b.3. The revised measure reads as, "Number and percent of CDS employees reviewed during FMSA monitoring that had a signed service provider agreement. N: Number of CDS employees reviewed during FMSA monitoring that had a signed service provider agreement. D: Number of CDS employees reviewed during FMSA monitoring." HHSC selected "other" for the sampling and added the following language, "FMSA legal entities are selected for monitoring based on contract execution date, previous formal or intermittent monitoring exit date, overall compliance score of the previous formal or intermittent monitoring, and expenditures. Maximum sample of 30 is selected per FMSA legal entity monitoring".

HHSC updated language to "contracts staff conducts an intermittent monitoring as a result the corrective action plan to ensure" instead of "monitors the plan of correction until."

HHSC further revised the sampling approach to use term "execution date" instead of "effective", and "formal or intermittent monitoring" instead of "formal monitoring."

For performance measure C.b.2, C.c.2, and I.a.2 HHSC added the following sampling approach language "Maximum sample of 30 is selected per FMSA legal entity monitoring."

For performance measure C.c.1, HHSC replaced the term "DBMD provider agencies" with "service providers" and updated the data source to "Other".

For performance measure C.c.2, HHSC updated the data source to "Other".

HHSC removed performance measure C.c.3, which previously stated, "Number and percent of provider staff meeting state training requirements by receiving a score of at least 80% on the HHSC DBMD computer based trainings. N: Number of Provider staff receiving a score of at least 80% on the HHSC DBMD Computer Based training. D: Number of provider staff required to complete training during the reporting.

Appendix Miscellaneous

HHSC updated references to the TAC changing references from Title 40 to Title 26 throughout the waiver application. Rules of the former Department of Aging and Disability Services (DADS), which were in Title 40, have been transferred to Title 26.

HHSC as applicable, replaced "term" with "execution".

HHSC replaced "Adverse Action Review Committee" with "contract manager".

The DBMD waiver program provides essential community-based services and supports to individuals with legal blindness, deafness, or a condition that leads to deafblindness, and at least one additional disability that limits functional abilities and who live in their own homes or in the home of another person, such as a family member or in a small group home setting.

Services and supports are intended to enhance quality of life, functional independence, health and welfare, and to supplement, rather than replace, existing informal or formal supports and resources. Services in the DBMD waiver program are case management, residential habilitation, respite (in-home and out of home), supported employment, prescribed medications, financial management services, support consultation, adaptive aids and medical supplies, assisted living, audiology services, behavioral support, chore services, dental treatment, dietary services, employment assistance, intervener, minor home modifications, nursing, occupational therapy services, orientation and mobility, physical therapy services, speech, hearing and language therapy, transition assistance services, employment readiness and individualized skills and socialization.

To obtain a free copy of the proposed waiver amendment, ask questions, obtain additional information, or submit comments about the amendment, please contact Basundhara Raychaudhuri by U.S. mail, telephone, fax, or email at the addresses and numbers below. A copy of the proposed waiver amendment may also be obtained online on the HHSC website at:

<https://www.hhs.texas.gov/laws-regulations/policies-rules/waivers>

Comments about the proposed waiver amendment must be submitted to HHSC by December 1, 2025.

The HHSC Access and Eligibility Services for local benefit offices will post this notice for 30 days and will have copies of the amendment available for review.

Addresses:

U.S. Mail

Texas Health and Human Services Commission

Attention: Basundhara Raychaudhuri, Waiver Coordinator, Federal Coordination, Rules and Committees

701 West 51st Street, Mail Code H-310

Austin, Texas 78751

Telephone

(512) 438-4403

Fax

Attention: Basundhara Raychaudhuri, Waiver Coordinator at (512) 323-1905

Email

TX_Medicaid_Waivers@hhs.texas.gov

TRD-202503797

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: October 21, 2025



Public Notice

The Texas Health and Human Services Commission (HHSC) is submitting a request to the Centers for Medicare & Medicaid Services (CMS) to amend the waiver application for the Texas Home Living (TxHmL) program. HHSC administers the TxHmL program under the authority of Section 1915(c) of the Social Security Act. CMS has approved the TxHmL waiver application through February 28, 2027. The proposed effective date for this amendment is March 15, 2026.

The amendment proposes to make changes to Appendix C, E, and I of the waiver application to update Texas Administrative Code (TAC) references and update the formal monitoring frequency for program providers and Financial Management Service Agency's (FMSAs) following a determination of acceptable compliance during an intermittent monitoring review. HHSC updated performance measure language in Appendix C to align with the updated monitoring frequency.

The request also proposes to amend Appendix I of the waiver application based on the 2026-27 General Appropriations Act, Senate Bill 1, 89th Legislature, Regular Session, 2025, (Article II, HHSC, Rider 29) to include HHSC policies on the bypass and claims matching process during disasters or temporary circumstances that may disrupt the delivery of services but are out of the provider's or FMSAs control. HHSC also clarified existing Electronic Visit Verification (EVV) policies.

Appendix C

HHSC as applicable, updated the term "reviews" to "formal monitoring reviews".

HHSC as applicable, updated the term "Qualified Personnel" to "Staff Member and Service Provider Requirements".

HHSC added the following language regarding FMSA intermittent monitoring for Employment Readiness, Behavioral Health Support, Respite, Supported Employment, Financial Management Services, Support Consultation, Adaptive Aids, Audiology Services, Community Support, Dental Treatment, Dietary Services, Employment Assistance, Individualized Skills and Socialization, Minor Home Modifications, Nursing, Occupational Therapy Services, Speech-Language Pathology and Physical Therapy Services in the Frequency of Verification section of Appendix C:

"Each new financial management services agency that must be monitored according to HHSC policy, is monitored within the first 15 months of contract execution. Thereafter, contracts staff conduct formal monitoring of financial management services agencies at least every three years. Financial management services agencies are monitored more frequently if the need is indicated or if there is a complaint filed against the financial management services agency. As a result of reviews, contracts staff will recoup the financial management services agency monthly fees for service providers who were unqualified at the time they provided the service. Findings from monitoring reviews and complaint investigations may result in a corrective action plan and may go to the contract manager to determine whether actions should be taken against the financial management services agency, including referral hold, vendor hold, and involuntary contract termination.

Contracts staff must conduct intermittent monitoring for financial management services agencies that do not meet an acceptable compliance level during formal monitoring reviews. If the FMSA achieves an acceptable level of compliance during the intermittent monitoring, contracts staff will conduct the next formal monitoring within three years. Contracts staff respond to complaints received against a financial management services agency for failure to maintain provider qualifications. HHSC levies appropriate provider agreement actions and sanctions for failure to follow the provider agreement requirements based on the results of the monitoring activity."

In the Verification of Provider Qualifications, Frequency of Verification section of appendix C, HHSC added the following language for Employment Readiness for the Consumer Directed Services (CDS) option to align with current TAC, "An individual employer and financial management services agency are both required by 26 TAC Chapter 264 CDS Option to verify that a service provider meets the qualifications required by the individual's program rules before being hired. A financial management services agency is required to obtain and retain documen-

tation on file that a service provider continues to meet the qualifications required by the individual's program rules, policies, and manuals, and other state and federal regulations."

HHSC updated the term "individual providers" to "service providers."

Appendix E

HHSC added language in Oversight of FMS Entities section stating "Financial management services agencies may have up to 5 different CDS program contract types. CDS TxHmL may not be pulled into the sample; therefore, a financial management services agency legal entity is monitored according to the frequency methodology but not each CDS TxHmL contract is monitored."

Appendix I

HHSC updated existing language regarding EVV requirements. HHSC added the following language that clarifies the EVV policies, "In the TxHmL program, Personal Care Services requiring EVV are respite (in home) and individualized skills and socialization (in home). Home Health Care Services requiring EVV in the TxHmL program are any nursing service, occupational therapy and physical therapy service, when provided in the individual's residence.

A service provider or Consumer Directed Services (CDS) employee must use an HHSC-approved clock in and clock out method to begin and end service delivery when providing EVV services to an individual in the home or the community.

Three clock in and clock out methods are approved by HHSC; the Mobile Method, the Home Phone Landline method and the Alternative Device method. All clock in and clock out methods capture the type of service provided, the name of the individual to whom the service is provided, the date and times the provider began and ended the service delivery visit, the location, including the address, where the service is provided and the name of the person who provided the service. If a service provider or CDS employee fails to clock in or out of the EVV system or an HHSC-approved clock in or clock out method is not available, a program provider, FMSA, or CDS employer must manually enter an EVV visit into the EVV system.

HHSC may temporarily set the EVV claims matching process to bypass EVV claims in response to a disaster or temporary circumstances outside of the provider's or FMSA's control that may disrupt delivery of services."

HHSC updated the term "are monitored" to "receive a formal monitoring".

Performance Measures

HHSC revised performance measure C.b.1 to use the term "contract qualifications" instead of "qualifications." The revised measure reads as, "Number and percent of newly enrolled financial management services agency contracts that met initial contract qualifications. The revised numerator reads: Number of newly enrolled financial management services agency contracts that met initial contract qualifications."

HHSC revised performance measure C.b.2 to add the term "fiscal" to clarify the measure includes contract and fiscal monitoring instead of just "contract monitoring." HHSC revised the numerator to add the term "fiscal" to "contract monitoring." HHSC also revised the denominator to remove "using the CDS Program Tool and removed from the measure "continually."

The revised measure reads as, "C.b.2 Number and percent of monitored FMSA contracts that met contract and fiscal monitoring requirements, evidenced by an overall compliance score of at least 90%. N: Number of monitored FMSA contracts that met contract and fiscal monitoring requirements, evidenced by an overall compliance score of at

least 90%. D: Number of FMSA contracts monitored." HHSC further revised the sampling approach to use term "execution date" instead of "effective" and "formal or intermittent monitoring" instead of "formal monitoring." HHSC also clarified that the maximum sample is 30 per FMSA legal entity.

HHSC removed performance measure C.b.3., "Number and percent of monitored FMSA contracts that continually met fiscal monitoring requirements, evidenced by an overall compliance score of at least 90%. N: Number of monitored FMSA contracts that continually met fiscal monitoring requirements, evidenced by an overall compliance score of at least 90%. D: Number of FMSA contracts monitored using the CDS-Tax Tool." This measure was removed since the monitoring will now be combined and C.b.2 was updated in this amendment to include the fiscal monitoring component.

HHSC replaced performance measure C.c.1 to "C.c.1 Number and percent of monitored financial management services agencies that completed all required training in accordance with the approved waiver. N: Number of financial management services agencies that completed all required training in accordance with the approved waiver. D: Number of financial management services agencies requiring training." instead of "Number and percent of newly enrolled providers meeting initial provider training requirements according to the approved waiver. N: Number of newly enrolled providers meeting initial provider training requirements according to the approved waiver. D: Number of newly enrolled providers that required initial training." The sampling approach was revised to "Less than 100% Review" instead of "100% Review." HHSC added the following language under Other in Sampling Approach, "FMSA legal entities are selected for monitoring based on contract effective date, previous formal or intermittent monitoring exit date, overall compliance score of the previous formal or intermittent monitoring, and expenditures. Maximum sample of 30 is selected per FMSA legal entity monitoring."

In Appendix C HHSC updated language in the Methods for Remediation section regarding the FMSA. HHSC used the term "financial management services agency legal entities" instead of "provider agencies" and the term "corrective action plan" instead of "plan of correction." HHSC also updated the term "Adverse Action Review Committee" to "contract manager".

In Appendix C Methods for Remediation section HHSC updated the language "monitors the plan of correction until" to "contracts staff conducts an intermittent monitoring as a result of the corrective action plan to ensure", and HHSC updated the actions that the contract managers may take.

The TxHmL waiver provides essential community-based services and supports to individuals with intellectual disabilities who live in their own homes or in the home of another person, such as a family member. Services and supports are intended to enhance quality of life, functional independence, and health and well-being in continued community-based living and to supplement, rather than replace, existing informal or formal supports and resources.

Current services in the TxHmL waiver are respite, supported employment, prescription medications, financial management services,

support consultation, adaptive aids, minor home modifications, audiology services, behavioral support, community support, dental treatment, dietary services, employment assistance, occupational therapy services, physical therapy services, nursing, speech-language pathology services, employment readiness, and individualized skills and socialization.

To obtain a free copy of the proposed waiver amendment, ask questions, obtain additional information, or submit comments about the amendment, please contact Julyya Alvarez by U.S. mail, telephone, fax, or email at the addresses and numbers below. A copy of the proposed waiver amendment may also be obtained online on the HHSC website at:

<https://www.hhs.texas.gov/laws-regulations/policies-rules/waivers>

Comments about the proposed waiver amendment must be submitted to HHSC by December 1, 2025.

The Access and Eligibility Services for local benefit offices will post this notice for 30 days and will have copies of the amendment available for review.

Addresses:

U.S. Mail

Texas Health and Human Services Commission

Attention: Julyya Alvarez, Waiver Coordinator, Federal Coordination, Rules and Committees

701 West 51st Street, Mail Code H-310

Austin, Texas 78751

Telephone

(512) 438-4330

Fax

Attention: Julyya Alvarez, Waiver Coordinator at (512) 323-1905

Email

TX_Medicaid_Waivers@hhs.texas.gov

TRD-202503798

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: October 21, 2025

◆ ◆ ◆
Department of State Health Services

Licensing Actions for Radioactive Materials

During the second half of September 2025, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout TX [Texas]" indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

In issuing new licenses and amending and renewing existing licenses, the Department's Radiation Section has determined that the applicant has complied with the licensing requirements in Title 25 Texas Administrative Code (TAC), Chapter 289, for the noted action. In granting termination of licenses, the Department has determined that the licensee has complied with the applicable decommissioning requirements of 25 TAC, Chapter 289. In granting exemptions to the licensing requirements of Chapter 289, the Department has determined that the exemption is not prohibited by law and will not result in a significant risk to public health and safety and the environment.

A person affected by the actions published in this notice may request a hearing within 30 days of the publication date. A "person affected" is defined as a person who demonstrates that the person has suffered or will suffer actual injury or economic damage and, if the person is not a local government, is (a) a resident of a county, or a county adjacent to the county, in which radioactive material is or will be located, or (b) doing business or has a legal interest in land in the county or adjacent county. 25 TAC §289.205(b)(15); Health and Safety Code §401.003(15). Requests must be made in writing and should contain the words "hearing request," the name and address of the person affected by the agency action, the name and license number of the entity that is the subject of the hearing request, a brief statement of how the person is affected by the action what the requestor seeks as the outcome of the hearing, and the name and address of the attorney if the requestor is represented by an attorney. Send hearing requests by mail to: Hearing Request, Radioactive Material Licensing, MC 2835, PO Box 149347, Austin, Texas 78714-9347, or by fax to: (512) 206-3760, or by e-mail to: RAMlicensing@dshs.texas.gov.

AMENDMENTS TO EXISTING LICENSES ISSUED					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
ABILENE	ABILENE CHRISTIAN UNIVERSITY	L07193	ABILENE	01	09/26/25

AMENDMENTS TO EXISTING LICENSES ISSUED					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
ANGLETON	TELIX ISOTHERAPEUTICS GROUP INC	L05969	ANGLETON	59	09/16/25
CEDAR PARK	CEDAR PARK HEALTH SYSTEM LLC DBA CEDAR PARK REGIONAL MEDICAL CENTER	L06140	CEDAR PARK	23	09/24/25
CLIFTON	BOSQUE COUNTY HOSPITAL DISTRICT DBA GOODALL – WITCHER HOSPITAL	L06574	CLIFTON	06	09/15/25
CLIFTON	BOSQUE COUNTY HOSPITAL DISTRICT DBA GOODALL – WITCHER HOSPITAL	L06574	CLIFTON	07	09/24/25
CORPUS CHRISTI	FLINT HILLS RESOURCES CORPUS CHRISTI LLC	L06360	CORPUS CHRISTI	12	09/22/25
CORPUS CHRISTI	EQUISTAR CHEMICALS LP CORPUS CHRISTI PLANT	L02447	CORPUS CHRISTI	28	09/18/25
CROCKETT	CROCKETT MEDICAL CENTER LLC	L06967	CROCKETT	06	09/17/25
DALLAS	SCANDINAVIAN FABRICATION USA LLC DBA SCANFAB	L07265	DALLAS	01	09/15/25
DALLAS	HEARTPLACE PLLC	L04607	DALLAS	86	09/22/25
DALLAS	BAYLOR UNIVERSITY MEDICAL CENTER	L01290	DALLAS	155	09/30/25
EL PASO	TEXAS CARDIOVASCULAR INSTITUTE PA	L07105	EL PASO	04	09/19/25

AMENDMENTS TO EXISTING LICENSES ISSUED					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
EL PASO	BHS PHYSICIANS NETWORK INC DBA CENTER OF THE HEART – A PROVIDENCE MEDICAL PARTNERS PRACTICE	L05695	EL PASO	19	09/19/25
EL PASO	TENET HOSPITALS LIMITED DBA THE HOSPITALS OF PROVIDENCE MEMORIAL CAMPUS	L02353	EL PASO	161	09/30/25
FORT WORTH	ONCOLOGY HEMATOLOGY CONSULTANTS PA DBA THE CENTER FOR CANCER AND BLOOD DISORDERS	L05919	FORT WORTH	40	09/26/25
GREENVILLE	HUNT MEMORIAL HOSPITAL DISTRICT	L01695	GREENVILLE	61	09/30/25
HOUSTON	THOMPSON ENGINEERING INC	L07169	HOUSTON	03	09/17/25
HOUSTON	THE METHODIST HOSPITAL RESEARCH INSTITUTE DBA HOUSTON METHODIST RESEARCH INSTITUTE	L06383	HOUSTON	25	09/17/25
HOUSTON	TOPS SPECIALTY HOSPITAL LTD DBA TOPS SURGICAL SPECIALTY HOSPITAL	L05441	HOUSTON	30	09/26/25
HOUSTON	PROFESSIONAL SERVICE INDUSTRIES INC	L04942	HOUSTON	33	09/30/25

AMENDMENTS TO EXISTING LICENSES ISSUED					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
HOUSTON	MEMORIAL HERMANN MEDICAL GROUP	L06430	HOUSTON	57	09/17/25
KERRVILLE	METHODIST PHYSICIAN PRACTICES PLLC DBA SOUTH TEXAS CARDIOVASCULAR CONSULTANTS	L06635	KERRVILLE	08	09/30/25
LUBBOCK	METHODIST CHILDRENS HOSPITAL DBA JOE ARRINGTON CANCER CENTER	L06900	LUBBOCK	21	09/29/25
NASSAU BAY	HOUSTON METHODIST ST JOHN HOSPITAL DBA HOUSTON METHODIST CLEAR LAKE HOSPITAL	L06650	NASSAU BAY	15	09/17/25
NORTH RICHLAND HILLS	COLUMBIA NORTH HILLS HOSPITAL SUBSIDIARY LP DBA MEDICAL CITY NORTH HILLS	L02271	NORTH RICHLAND HILLS	95	09/29/25
ODESSA	TEXAS ONCOLOGY PA DBA TEXAS ONCOLOGY	L05140	ODESSA	28	09/15/25
PORT ARTHUR	TOTAL ENERGIES PETROCHEMICALS & REFINING USA INC	L03498	PORT ARTHUR	40	09/26/25
RICHARDSON	TRUGLO INC	L05519	RICHARDSON	24	09/16/25
SAN ANTONIO	BTDI JV LLP DBA TOUCHSTONE IMAGING STONE OAK	L07013	SAN ANTONIO	06	09/19/25
SAN ANTONIO	TEXAS ONCOLOGY PA	L06747	SAN ANTONIO	15	09/24/25

AMENDMENTS TO EXISTING LICENSES ISSUED					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
SAN ANTONIO	METHODIST PHYSICIAN PRACTICES PLLC	L05675	SAN ANTONIO	28	09/30/25
SNYDER	SCURRY COUNTY HOSPITAL DISTRICT DBA DM COGDELL MEMORIAL HOSPITAL	L02409	SNYDER	39	09/18/25
THROUGHOUT TX	THE METHODIST HOSPITAL DBA HOUSTON METHODIST	L00457	HOUSTON	222	09/22/25
THROUGHOUT TX	STRONGHOLD INSPECTION LTD	L06918	LA PORTE	16	09/26/25
THROUGHOUT TX	XCEL NDT LLC	L07039	LONGVIEW	09	09/26/25
THROUGHOUT TX	PROTECT LLC	L07110	MIDLAND	15	09/23/25
THROUGHOUT TX	PRECISION INSPECTION SERVICES LLC	L07275	NEDERLAND	02	09/23/25
THROUGHOUT TX	PRECISION NDT LLC DBA PRECISION GROUP	L07054	ODESSA	15	09/25/25
THROUGHOUT TX	BEYOND ENGINEERING AND TESTING LLC	L06924	ROUND ROCK	12	09/29/25
THROUGHOUT TX	LUDLUM MEASUREMENT S INC	L01963	SWEETWATER	122	09/17/25

RENEWAL OF LICENSES ISSUED					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
CORPUS CHRISTI	CHRISTUS TRINITY CLINIC TEXAS	L04611	CORPUS CHRISTI	33	09/24/25
HOUSTON	INNOVATIVE RADIOLOGY PA	L05184	HOUSTON	29	09/23/25
LONGVIEW	KING TOOL COMPANY	L05142	LONGVIEW	17	09/24/25

RENEWAL OF LICENSES ISSUED					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
PASADENA	AFTON CHEMICAL CORPORATION	L06740	PASADENA	08	09/17/25
THE WOODLANDS	LAURIE MCGOWEN & GAYLE STATON DBA LAMCO & ASSOCIATE	L05152	THE WOODLANDS	17	09/24/25

TERMINATIONS OF LICENSES ISSUED					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
GEORGETOWN	PRE-TEST LABORATORY OF CENTRAL TEXAS	L02524	GEORGETOWN	16	09/17/25
THROUGHOUT TX	PROFESSIONAL SERVICE INDUSTRIES INC	L00931	FORT WORTH	129	09/23/25

TRD-202503775
Molly Fudell
Deputy General Counsel
Department of State Health Services
Filed: October 20, 2025

Texas Department of Housing and Community Affairs

Announcement of Public Comment Period for State of Texas 2025 CAPER, Reporting on PY 2024

The Texas Department of Housing and Community Affairs (TDHCA) announces the opening of a 15-day public comment period for the *State of Texas Draft 2025 Consolidated Plan Annual Performance Report - Reporting on Program Year 2024 (the Report)* as required by the U.S. Department of Housing and Urban Development (HUD). The Report is required, as part of the overall requirements, governing the State's consolidated planning process. The Report is submitted in compliance with 24 §91.520, Consolidated Plan Submissions for Community Planning and Development Programs. The 15-day public comment period begins Saturday, November 1, 2025, and continues until Saturday, November 15, 2025.

The Report gives the public an opportunity to evaluate the performance of the past program year for five HUD programs: the Community Development Block Grant Program (CDBG) administered by the Texas Department of Agriculture (TDA), the Housing Opportunities for Persons with AIDS Program (HOPWA) administered by the Texas Department of State Health Services (DSHS), and the Emergency Solutions Grants (ESG), HOME Investment Partnerships, and National Housing Trust Fund programs, administered by TDHCA. The following information is provided for each of the programs covered in the Report: a

summary of program resources and programmatic accomplishments; a series of narrative statements on program performance over the past year; a qualitative analysis of program actions and experiences; and a discussion of program successes in meeting program goals and objectives.

In addition, the report provides a summary and analysis of four new HUD funded programs created in response to and to recover from the COVID-19 Pandemic. These new programs are CDBG-CV, ESG-CV, and HOME-ARP administered by TDHCA and HOPWA-CV administered by DSHS.

Beginning November 1, 2025, the Report will be available on the Department's website at <https://www.tdhca.texas.gov/tdhca-public-comment-center>. A hard copy can be requested by contacting the Housing Resource Center at P.O. Box 13941, Austin, Texas 78711-3941 or by calling (512) 475-3976.

Written comment should be sent by mail to the Texas Department of Housing and Community Affairs, Housing Resource Center, P.O. Box 13941, Austin, Texas 78711-3941, or by email to info@tdhca.texas.gov.

TRD-202503755
Bobby Wilkinson
Executive Director
Texas Department of Housing and Community Affairs
Filed: October 20, 2025

Texas Department of Licensing and Regulation

Scratch Ticket Game Number 2708 "\$200 GRAND"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2708 is "\$200 GRAND". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2708 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2708.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each

Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, DIAMOND SYMBOL, \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100, \$200, \$500, \$1,000 and \$200,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2708 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWFO
26	TWSX
27	TWSV

28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
51	FFON
52	FFTO
53	FFTH
54	FFFR
55	FFFV
DIAMOND SYMBOL	DBL

\$5.00	FIV\$
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$100	ONHN
\$200	TOHN
\$500	FVHN
\$1,000	ONTH
\$200,000	200TH

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2708), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2708-0000001-001.

H. Pack - A Pack of the "\$200 GRAND" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 075 will be revealed on the back of the Pack. All packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse; i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 075 will be shown on the back of the Pack.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery and Charitable Bingo Division of the Texas Department of Licensing and Regulation (Texas Lottery) pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "\$200 GRAND" Scratch Ticket Game No. 2708.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 140.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "\$200 GRAND" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose fifty-five (55) Play Symbols. PLAY INSTRUCTIONS: If

a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "DIAMOND" Play Symbol, the player wins DOUBLE the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

- Exactly fifty-five (55) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
- Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
- Each of the Play Symbols must be present in its entirety and be fully legible;
- Each of the Play Symbols must be printed in black ink except for dual image games;
- The Scratch Ticket shall be intact;
- The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
- The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
- The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
- The Scratch Ticket must not be counterfeit in whole or in part;
- The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
- The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
- The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly fifty-five (55) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the fifty-five (55) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the fifty-five (55) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director of the Texas Lottery (Executive Director) may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

A. Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

B. A Ticket can win as indicated by the prize structure.

C. A Ticket can win up to twenty-five (25) times.

D. On winning and Non-Winning Tickets, the top cash prizes of \$1,000 and \$200,000 will each appear at least one (1) time, except on Tickets winning twenty-five (25) times, with respect to other parameters, play action or prize structure.

E. All non-winning YOUR NUMBERS Play Symbols will be different.

F. No matching WINNING NUMBERS Play Symbols will appear on a Ticket.

G. Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

H. Tickets winning more than one (1) time will use as many WINNING NUMBERS Play Symbols as possible to create matches, unless restricted by other parameters, play action or prize structure.

I. All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 05 and \$5, 10 and \$10, 15 and \$15, 20 and \$20 and 50 and \$50).

J. On all Tickets, a Prize Symbol will not appear more than four (4) times, except as required by the prize structure to create multiple wins.

K. On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

L. The "DIAMOND" (DBL) Play Symbol will never appear more than one (1) time on a Ticket.

M. The "DIAMOND" (DBL) Play Symbol will win DOUBLE the prize for that Play Symbol and will win as per the prize structure.

N. The "DIAMOND" (DBL) Play Symbol will never appear on a Non-Winning Ticket.

O. The "DIAMOND" (DBL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

2.3 Procedure for Claiming Prizes.

A. To claim a "\$200 GRAND" Scratch Ticket Game prize of \$5.00, \$10.00, \$15.00, \$20.00, \$50.00, \$100, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100, \$200 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "\$200 GRAND" Scratch Ticket Game prize of \$1,000 or \$200,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "\$200 GRAND" Scratch Ticket Game prize, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

2. in default on a loan made under Chapter 52, Education Code;

3. in default on a loan guaranteed under Chapter 57, Education Code; or

4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "\$200 GRAND" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "\$200 GRAND" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank

account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 5,040,000 Scratch Tickets in Scratch Ticket Game No. 2708. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2708 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	537,600	9.38
\$10.00	280,000	18.00
\$15.00	235,200	21.43
\$20.00	67,200	75.00
\$50.00	50,400	100.00
\$100	23,800	211.76
\$200	2,380	2,117.65
\$500	910	5,538.46
\$1,000	150	33,600.00
\$200,000	4	1,260,000.00

*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 4.21. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2708 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §140.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2708, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140, and all final decisions of the Executive Director.

TRD-202503782

Deanne Rienstra

Interim General Counsel Lottery and Charitable Bingo

Texas Department of Licensing and Regulation

Filed: October 21, 2025



Texas Department of Transportation

Public Transportation Division - Notice of Call for Projects

The Texas Department of Transportation (department) announces a Call for Projects for:

1. Statewide Planning Assistance Program - 49 U.S.C. §5304, 43 Texas Administrative Code (TAC) §31.22
2. Rural Transportation Assistance Program - 49 U.S.C. §5311(b)(3), 43 TAC §31.37
3. Rural Discretionary Program - 49 U.S.C. §5311, 43 TAC §31.36
4. Intercity Bus Program - 49 U.S.C. §5311(f), 43 TAC §31.36

These public transportation projects will be funded through the Federal Transit Administration (FTA) §5304, §5311(b)(3), §5311, and §5311(f), programs. It is anticipated that multiple projects from multiple funding programs will be selected for State Fiscal Years 2027-2028. Project selection will be administered by the Public Transportation Division. Selected projects will be awarded in the form of grants with payments made for allowable reimbursable expenses or for defined deliverables. Successful applicants will become subrecipients of the department.

Information and instructions regarding the call for projects will be posted on the Public Transportation Division website at <https://www.txdot.gov/inside-txdot/division/public-transportation/local-assistance.html>

Purpose: The Call for Projects invites applications for services to develop, promote, coordinate, or support public transportation. Applications submitted for funding should reflect projects that will:

1. assist small urban and rural transit agencies to develop projects and strategies to further meet the transportation needs of local residents using current program resources;
2. design and implement training and technical assistance projects and other support services tailored to meet the specific needs of transit operators in rural areas;
3. assist public transportation providers in rural areas to provide passenger transportation services to the general public using the most efficient combination of knowledge, materials, resources, and technology; or
4. support connections, services, and infrastructure to meet the inter-city mobility needs of residents in rural areas.

Eligible Applicants: Eligible applicants may include state agencies, local public bodies and agencies thereof, private nonprofit organizations, Native American tribes and organizations, operators of public transportation services, state transit associations, transit districts, and private for-profit operators, dependent on federal program. Eligible applicants are defined in the Texas Administrative Code sections specified above for each program.

Key Dates and Deadlines:

October 31, 2025: Opportunity opens in IGX

December 12, 2025: Deadline for submitting written questions

January 23, 2026: Deadline for receipt of applications

July 2026: Target for presentation of project selection recommendations to the Texas Transportation Commission for action

September 1, 2026: Target date for most year 1 project grant agreements to be executed

Questions: Individuals with questions relating to the Call for Projects should email PTN_ProgramMgmt@txdot.gov.

TRD-202503728
Becky Blewett
Deputy General Counsel
Texas Department of Transportation
Filed: October 15, 2025



How to Use the Texas Register

Information Available: The sections of the *Texas Register* represent various facets of state government. Documents contained within them include:

Governor - Appointments, executive orders, and proclamations.

Attorney General - summaries of requests for opinions, opinions, and open records decisions.

Texas Ethics Commission - summaries of requests for opinions and opinions.

Emergency Rules - sections adopted by state agencies on an emergency basis.

Proposed Rules - sections proposed for adoption.

Withdrawn Rules - sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the Texas Register six months after the proposal publication date.

Adopted Rules - sections adopted following public comment period.

Texas Department of Insurance Exempt Filings - notices of actions taken by the Texas Department of Insurance pursuant to Chapter 5, Subchapter L of the Insurance Code.

Review of Agency Rules - notices of state agency rules review.

Tables and Graphics - graphic material from the proposed, emergency and adopted sections.

Transferred Rules - notice that the Legislature has transferred rules within the *Texas Administrative Code* from one state agency to another, or directed the Secretary of State to remove the rules of an abolished agency.

In Addition - miscellaneous information required to be published by statute or provided as a public service.

Specific explanation on the contents of each section can be found on the beginning page of the section. The division also publishes cumulative quarterly and annual indexes to aid in researching material published.

How to Cite: Material published in the *Texas Register* is referenced by citing the volume in which the document appears, the words “TexReg” and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 50 (2025) is cited as follows: 50 TexReg 2402.

In order that readers may cite material more easily, page numbers are now written as citations. Example: on page 2 in the lower-left hand corner of the page, would be written “50 TexReg 2 issue date,” while on the opposite page, page 3, in the lower right-hand corner, would be written “issue date 50 TexReg 3.”

How to Research: The public is invited to research rules and information of interest between 8 a.m. and 5 p.m. weekdays at the *Texas Register* office, James Earl Rudder Building, 1019 Brazos, Austin. Material can be found using *Texas Register* indexes, the *Texas Administrative Code* section numbers, or TRD number.

Both the *Texas Register* and the *Texas Administrative Code* are available online at: <https://www.sos.texas.gov>. The *Texas Register* is available in an .html version as well as a .pdf version through the internet. For website information, call the Texas Register at (512) 463-5561.

Texas Administrative Code

The *Texas Administrative Code (TAC)* is the compilation of all final state agency rules published in the *Texas Register*. Following its effective date, a rule is entered into the *Texas Administrative Code*. Emergency rules, which may be adopted by an agency on an interim basis, are not codified within the TAC.

The TAC volumes are arranged into Titles and Parts (using Arabic numerals). The Titles are broad subject categories into which the agencies are grouped as a matter of convenience. Each Part represents an individual state agency.

The complete TAC is available through the Secretary of State’s website at <http://www.sos.state.tx.us/tac>.

The Titles of the TAC, and their respective Title numbers are:

1. Administration
4. Agriculture
7. Banking and Securities
10. Community Development
13. Cultural Resources
16. Economic Regulation
19. Education
22. Examining Boards
25. Health Services
28. Insurance
30. Environmental Quality
31. Natural Resources and Conservation
34. Public Finance
37. Public Safety and Corrections
40. Social Services and Assistance
43. Transportation

How to Cite: Under the TAC scheme, each section is designated by a TAC number. For example in the citation 1 TAC §91.1: 1 indicates the title under which the agency appears in the *Texas Administrative Code*; TAC stands for the *Texas Administrative Code*; §91.1 is the section number of the rule (91 indicates that the section is under Chapter 91 of Title 1; 1 represents the individual section within the chapter).

How to Update: To find out if a rule has changed since the publication of the current supplement to the *Texas Administrative Code*, please look at the *Index of Rules*.

The *Index of Rules* is published cumulatively in the blue-cover quarterly indexes to the *Texas Register*.

If a rule has changed during the time period covered by the table, the rule’s TAC number will be printed with the *Texas Register* page number and a notation indicating the type of filing (emergency, proposed, withdrawn, or adopted) as shown in the following example.

TITLE 1. ADMINISTRATION

Part 4. Office of the Secretary of State

Chapter 91. Texas Register

1 TAC §91.1.....950 (P)

SALES AND CUSTOMER SUPPORT

Sales - To purchase subscriptions or back issues, you may contact LexisNexis Sales at 1-800-223-1940 from 7 a.m. to 7 p.m., Central Time, Monday through Friday. Subscription cost is \$1159 annually for first-class mail delivery and \$783 annually for second-class mail delivery.

Customer Support - For questions concerning your subscription or account information, you may contact LexisNexis Matthew Bender Customer Support from 7 a.m. to 7 p.m., Central Time, Monday through Friday.

Phone: (800) 833-9844

Fax: (518) 487-3584

E-mail: customer.support@lexisnexis.com

Website: www.lexisnexis.com/printcdsc



LexisNexis