

TRANSFERRED RULES

The Government Code, §2002.058, authorizes the Secretary of State to remove or transfer rules within the Texas Administrative Code when the agency that promulgated the rules is abolished. The Secretary of State will publish notice of rule transfer or removal in this section of the *Texas Register*. The effective date of a rule transfer is the date set by the legislature, not the date of publication of notice. Proposed or emergency rules are not subject to administrative transfer.

Department of Aging and Disability Services

Rule Transfer

During the 84th Legislative Session, the Texas Legislature passed Senate Bill 200, addressing the reorganization of health and human services delivery in Texas. As a result, some agencies were abolished and their functions transferred to the Texas Health and Human Services Commission (HHSC). Texas Government Code, §531.0202(b), specified the Department of Aging and Disability Services (DADS) be abolished September 1, 2017, after all its functions were transferred to HHSC in accordance with Texas Government Code, §531.0201 and §531.02011. The former DADS rule in Texas Administrative Code, Title 40, Part 1, Chapter 9, Intellectual Disability Services--Medicaid State Operating Agency Responsibilities, Subchapter D, Home and Community-Based Services (HCS) Program and Community First Choice (CFC), §9.181, Administrative Penalties is being transferred to Texas Administrative Code, Title 26, Part 1, Chapter 565, Home and Community-Based Services (HCS) Program Certification Standards, Subchapter G, HHSC Actions, §565.45, Administrative Penalties.

The rule will be transferred in the Texas Administrative Code effective June 19, 2023.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 9, Subchapter D

TRD-202301793



Figure: 40 TAC Chapter 9, Subchapter D

<p>Current Rules Title 40. Social Services and Assistance Part 1. Department of Aging and Disability Services Chapter 9. Intellectual Disability Services-- Medicaid State Operating Agency Responsibilities Subchapter D. Home and Community-Based Services (HCS) Program and Community First Choice (CFC) §9.181. Administrative Penalties.</p>	<p>Move to Title 26. Health and Human Services Part 1. Texas Health and Human Services Commission Chapter 565. Home and Community-Based Services (HCS) Program Certification Standards Subchapter G. HHSC Actions §565.45. Administrative Penalties.</p>
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Department of Aging and Disability Services

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Health and Human Services Commission

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The rule will be transferred in the Texas Administrative Code effective June 19, 2023.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 9, Subchapter D

TRD-202301790

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Code, Title 26, Part 1, Chapter 566, Texas Home Living (TXHML) Program and Community First Choice (CFC) Certification Standards.

The rules will be transferred in the Texas Administrative Code effective June 19, 2023.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 9, Subchapter N
TRD-202301792



Health and Human Services Commission

Rule Transfer

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The rules will be transferred in the Texas Administrative Code effective June 19, 2023.

The following table outlines the rule transfer:

Figure: 40 TAC Chapter 9, Subchapter N
TRD-202301791

Figure: 40 TAC Chapter 9, Subchapter N

Current Rules	Move to
Title 40. Social Services and Assistance	Title 26. Health and Human Services
Part 1. Department of Aging and Disability Services	Part 1. Texas Health and Human Services Commission
Chapter 9. Intellectual Disability Services--Medicaid State Operating Agency Responsibilities	Chapter 566. Texas Home Living (TXHML) Program and Community First Choice (CFC) Certification Standards
Subchapter N. Texas Home Living (TXHML) Program and Community First Choice (CFC)	
§9.553. Definitions.	§566.3. Definitions.
§9.555. Description of TxHmL Program Services.	§566.5. Description of TxHmL Program Services.
§9.572. Other Program Provider Requirements.	§566.17. Other Program Provider Requirements.
§9.576. HHSC Surveys of a Program Provider.	§566.19. HHSC Surveys of a Program Provider.
§9.578. Program Provider Certification Principles: Service Delivery.	§566.7. Program Provider Certification Principles: Service Delivery.
§9.579. Certification Principles: Staff Member and Service Provider Requirements.	§566.9. Certification Principles: Staff Member and Service Provider Requirements.
§9.580. Certification Principles: Quality Assurance.	§566.11. Certification Principles: Quality Assurance.
§9.581. Administrative Penalties.	§566.23. Administrative Penalties.
§9.584. Certification Principles: Prohibitions.	§566.13. Certification Principles: Prohibitions.
§9.585. Certification Principles: Requirements Related to the Abuse, Neglect, and Exploitation of an Individual.	§566.15. Certification Principles: Requirements Related to the Abuse, Neglect, and Exploitation of an Individual.
§9.586. Amelioration.	§566.25. Amelioration.
§9.587. Program Provider Compliance and Corrective Action.	§566.21. Program Provider Compliance and Corrective Action.

