

# REVIEW OF AGENCY RULES

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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.

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## Proposed Rule Reviews

### Department of State Health Services

#### Title 25, Part 1

The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

#### Chapter 229, Food and Drug

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 229, Food and Drug, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to [hhsrulescoordinationoffice@hhs.texas.gov](mailto:hhsrulescoordinationoffice@hhs.texas.gov). When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 229" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202600599

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: February 5, 2026



Texas Health and Human Services Commission

#### Title 26, Part 1

The Texas Health and Human Services Commission (HHSC) proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code (TAC):

#### Chapter 263, Home and Community-Based Services (HCS) Program and Community First Choice (CFC)

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every

four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 263, Home and Community-Based Services (HCS) Program and Community First Choice (CFC), may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to [hhsrulescoordinationoffice@hhs.texas.gov](mailto:hhsrulescoordinationoffice@hhs.texas.gov). When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 263" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published but may be found in Title 26, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202600526

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: February 5, 2026



The Texas Health and Human Services Commission (HHSC) proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code (TAC):

#### Chapter 511, Limited Services Rural Hospitals

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 511, Limited Services Rural Hospitals, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to [hhsrulescoordinationoffice@hhs.texas.gov](mailto:hhsrulescoordinationoffice@hhs.texas.gov). When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 511" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published but may be found in Title 26, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202600580

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: February 10, 2026



The Texas Health and Human Services Commission (HHSC) proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code (TAC):

**Chapter 901, Volunteer and Community Engagement at a State Facility**

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 901, Volunteer and Community Engagement at a State Facility, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to [hhsrulescoordinationoffice@hhs.texas.gov](mailto:hhsrulescoordinationoffice@hhs.texas.gov). When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 901" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published but may be found in Title 26, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings ([www.sos.texas.gov](http://www.sos.texas.gov)).

TRD-202600571

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: February 9, 2026



**Adopted Rule Reviews**

Texas Health and Human Services Commission

**Title 1, Part 15**

The Texas Health and Human Services Commission (HHSC), on behalf of the Office of Inspector General (OIG), adopts the review of the chapter below in Title 1, Part 15, of the Texas Administrative Code (TAC):

**Chapter 371, Medicaid and Other Health and Human Services Fraud and Abuse Program Integrity**

Notice of the review of this chapter was published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7739). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 371 in accordance with Texas Government Code §2001.039, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist.

The agency determined that the original reasons for adopting rules in the chapter continue to exist and readopts Chapter 371 except for:

§371.33, On-Site Reviews of Prospective Providers.

The repeal and any amendments identified by HHSC in the rule review and any amendments, if applicable, to Chapter 371 will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 1 TAC Chapter 371 as required by Texas Government Code §2001.039.

TRD-202600524

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: February 5, 2026



**Texas State Board of Pharmacy**

**Title 22, Part 15**

The Texas State Board of Pharmacy adopts the review of Chapter 291, Subchapter C (§§291.51 - 291.55), concerning Pharmacies (Nuclear Pharmacy (Class B)), pursuant to the Texas Government Code §2001.039, regarding Agency Review of Existing Rules. The proposed rule review was published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8631).

No comments were received.

The agency finds the reasons for adopting the rules contained in Chapter 291 continue to exist.

TRD-202600573

Daniel Carroll, Pharm.D.

Executive Director

Texas State Board of Pharmacy

Filed: February 9, 2026



The Texas State Board of Pharmacy adopts the review of Chapter 309 (§§309.1 - 309.8), concerning Substitution of Drug Products, pursuant to the Texas Government Code §2001.039, regarding Agency Review of Existing Rules. The proposed rule review was published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8631).

No comments were received.

The agency finds the reasons for adopting the rules contained in Chapter 309 continue to exist.

TRD-202600574

Daniel Carroll, Pharm.D.

Executive Director

Texas State Board of Pharmacy

Filed: February 9, 2026



**Texas Health and Human Services Commission**

**Title 26, Part 1**

The Texas Health and Human Services Commission (HHSC) adopts the review of the chapter below in Title 26, Part 1, of the Texas Administrative Code (TAC):

**Chapter 110, Hearings Under the Administrative Procedure Act**

Notice of the review of this chapter was published in the December 19, 2025, issue of the *Texas Register* (50 TexReg 8343). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 110 in accordance with Texas Government Code §2001.039, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist.

The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 110. Any amendments, if applicable, to Chapter 110 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 26 TAC Chapter 110 as required by Texas Government Code §2001.039.

TRD-202600525

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: February 5, 2026

