

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 State Health 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, certain functions previously performed by the Department of State Health Services (DSHS), including client services, certain regulatory functions, and the operation of state hospitals, transferred to the Texas Health and Human Services Commission (HHSC) in accordance with Texas Government Code, §531.0201 and §531.02011. The DSHS rules in Texas Administrative Code, Title 25, Part 1, Chapter 419, Mental Health Services--Medicaid State Operating Agency Responsibilities, Subchapter J, Institutions for Mental Diseases, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 273, Mental Health Services--Medicaid State Operating Agency Responsibilities, Subchapter A, Institutions for Mental Diseases.

The rules will be transferred in the Texas Administrative Code effective April 30, 2025.

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 419, Subchapter J

TRD-202501088

Texas Health and Human Services Commission

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, certain functions previously performed by the Department of State Health Services (DSHS), including client services, certain regulatory functions, and the operation of state hospitals, transferred to the Texas Health and Human Services Commission (HHSC) in accordance with Texas Government Code, §531.0201 and §531.02011. The DSHS rules in Texas Administrative Code, Title 25, Part 1, Chapter 419, Mental Health Services--Medicaid State Operating Agency Responsibilities, Subchapter J, Institutions for Mental Diseases, that are related to these transferred functions, are being transferred to HHSC under Texas Administrative Code, Title 26, Part 1, Chapter 273, Mental Health Services--Medicaid State Operating Agency Responsibilities, Subchapter A, Institutions for Mental Diseases.

The rules will be transferred in the Texas Administrative Code effective April 30, 2025.

The following table outlines the rule transfer:

Figure: 25 TAC Chapter 419, Subchapter J

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Figure: 25 TAC Chapter 419, Subchapter J

Current Rules	Move to
Title 25. Health Services	Title 26. Health and Human Services
Part 1. Department of State Health Services	Part 1. Health and Human Services Commission
Chapter 419. Mental Health Services--Medicaid State Operating Agency Responsibilities	Chapter 273. Mental Health Services--Medicaid State Operating Agency Responsibilities
Subchapter J. Institutions for Mental Diseases	Subchapter A. Institutions for Mental Diseases
§419.371. Purpose and Application.	§273.1. Purpose and Application.
§419.373. Definitions.	§273.3. Definitions.
§419.374. Eligible Population.	§273.5. Eligible Population.
§419.375. IMD Provider Eligibility for Reimbursement.	§273.7. IMD Provider Eligibility for Reimbursement.
§419.376. IMD Provider Reimbursement and Termination.	§273.9. IMD Provider Reimbursement and Termination.
§419.377. Discharge Criteria.	§273.11. Discharge Criteria.
§419.379. Distribution.	§273.13. Distribution.

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