

# 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.

## 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 reoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 73, Laboratories

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 73, Laboratories, 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 73" 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The text of the rule sections being reviewed will not be published but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings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-202602118

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: May 19, 2026



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 reoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 296, Texas Asbestos Health Protection

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 296, Texas Asbestos Health Protection, 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 296" 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-202602075

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: May 18, 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 reoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 87, Ombudsman Services

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 87, Ombudsman Services, 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 87" 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-202602096  
Jessica Miller  
Director, Rules Coordination Office  
Texas Health and Human Services Commission  
Filed: May 18, 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 284, Competitive and Integrated Employment Initiative for Certain Medicaid Recipients

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 284, Competitive and Integrated Employment Initiative for Certain Medicaid Recipients, 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 284" 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-202602070  
Jessica Miller  
Director, Rules Coordination Office  
Texas Health and Human Services Commission  
Filed: May 18, 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 350, Early Childhood Intervention Services

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 350, Early Childhood Intervention Services, 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 350" 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-202602073  
Jessica Miller  
Director, Rules Coordination Office  
Texas Health and Human Services Commission  
Filed: May 18, 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 363, County Indigent Health Care Program

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 363, County Indigent Health Care Program, 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 363" 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-202602074  
Jessica Miller  
Director, Rules Coordination Office  
Texas Health and Human Services Commission  
Filed: May 18, 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 374, Mental Health Early Intervention and Treatment Grant

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 374, Mental Health Early Intervention and Treatment Grant, 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 374" 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-202602064  
Jessica Miller  
Director, Rules Coordination Office  
Texas Health and Human Services Commission  
Filed: May 18, 2026



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

Chapter 551, Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions

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 551, Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions, 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 551" 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-202602076  
Jessica Miller  
Director, Rules Coordination Office  
Texas Health and Human Services Commission  
Filed: May 18, 2026



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

Chapter 553, Licensing Standards for Assisted Living Facilities

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 553, Licensing Standards for Assisted Living Facilities, 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 553" 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-202602077  
Jessica Miller  
Director, Rules Coordination Office  
Texas Health and Human Services Commission  
Filed: May 18, 2026



## Adopted Rule Reviews

Texas Health and Human Services Commission

### Title 1, Part 15

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

Chapter 386, Disaster Assistance Program

Notice of the review of this chapter was published in the March 27, 2026, issue of the *Texas Register* (51 TexReg 2073) for public comment.

The 31-day comment period ended April 27, 2026. During this period, HHSC did not receive any comments regarding the proposed rule review.

HHSC has reviewed Chapter 386 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 386. Any amendments, if applicable, to Chapter 386 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

TRD-202602087  
Jessica Miller  
Director, Rules Coordination Office  
Texas Health and Human Services Commission  
Filed: May 18, 2026



Texas Education Agency

### Title 19, Part 2

The State Board of Education (SBOE) adopts the review of 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum; Subchapter B, Graduation Requirements; Subchapter C, Other Provisions; Subchapter F, Graduation Requirements, Beginning with School Year 2007-2008; and Subchapter G, Graduation Requirements, Beginning with School Year 2012-2013, pursuant to Texas Government Code, §2001.039. The SBOE proposed the review of Chapter 74, Subchapters A-C, F, and G, in the October 17, 2025 issue of the *Texas Register* (50 TexReg 6887).

The SBOE finds the reasons for adopting Chapter 74, Subchapters A-C, F, and G, continue to exist and readopts the rules.

The SBOE received four comments related to the review of Subchapters A-C, F, and G. Following are the comments received and the corresponding responses.

Comment: A parent expressed disagreement with the inclusion of religious literature in curriculum requirements.

Response: The agency provides the following clarification. Texas Education Code (TEC), §28.002(2)(G), identifies religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature, as part of the required curriculum. Section 74.36, Requirements for Elective Courses on the Bible's Hebrew Scriptures (Old Testament) and New Testament and Their Impact on the History and Literature of Western Civilization, implements TEC, §28.002(2)(G), and outlines the requirements for school districts.

Comment: A school counselor suggested clarifying the language related to endorsement requirements in the social studies content area to match similar language in math and science content areas.

Response: The agency disagrees and has determined that the language related to endorsement requirements in the social studies content area is appropriate for the subject area.

Comment: An administrator suggested replacing Mathematical Models with Applications with alternative math offerings to satisfy a graduation requirement in mathematics such as Algebraic Reasoning, Advanced Quantitative Reasoning, College Preparatory Mathematics, or Financial Mathematics. The commenter stated that this change would better align the mathematics requirements for graduation with the current science course requirements.

Response: The agency disagrees and has determined that the Mathematical Models with Applications course is an appropriate option to satisfy a graduation requirement in mathematics. The agency also provides the following clarification. The SBOE will have an opportunity to review all state-approved high school mathematics courses when it conducts the next review and revision of the Texas Essential Knowledge and Skills (TEKS) in mathematics at a later date.

Comment: A teacher expressed support for world culture studies, highlighting the impact it has on students in special education, in particular. The commenter expressed concerns that removing this content places students at risk for developmental and civic gaps.

Response: This comment is outside the scope of the proposed rule-making. At a future meeting, the SBOE will consider proposed amendments to Chapter 74, Subchapter B, to align graduation requirement rules with changes related to recently adopted legislation from the 89th Texas Legislature, Regular Session, 2025. Also at a future meeting, the SBOE will consider for approval revised charts adopted in 19 TAC §74.6, College and Career Readiness and Texas Essential Knowledge and Skills Alignment, to demonstrate the alignment of the science TEKS adopted in 2021 and 2022 and career and technical education TEKS adopted in 2023, 2024, and 2025, with the Texas College and Career Readiness Standards. The SBOE may also need to consider a proposed amendment to 19 TAC §74.35, Additional Requirements for High School Health Classes, to address new requirements added by Senate Bill 1207, 89th Texas Legislature, Regular Session, 2025, to the parenting and paternity awareness program districts must use.

TRD-202602071  
Cristina De La Fuente-Valadez  
Director, Rulemaking  
Texas Education Agency  
Filed: May 18, 2026



The Texas Education Agency (TEA) adopts the review 19 TAC Chapter 74, Curriculum Requirements, Subchapter AA, Commissioner's Rules on College and Career Readiness; Subchapter BB, Commissioner's Rules Concerning High School Graduation; Subchapter CC, Commissioner's Rules Concerning Reading Practices; and Subchapter DD, Commissioner's Rules Concerning Mathematics Instruction,

pursuant to Texas Government Code, §2001.039. TEA proposed the review of Chapter 74, Subchapters AA-DD, in the October 17, 2025 issue of the *Texas Register* (50 TexReg 6887).

Relating to the review of 19 TAC Chapter 74, Subchapters AA-DD, TEA finds that the reasons for adopting these rules continue to exist and readopts the rules.

TEA received no comments related to the review of Subchapters AA-DD.

At a later date, TEA anticipates an amendment to Subchapter AA, §74.1003, Industry-Based Certifications for Public School Accountability, to align the rule with House Bill (HB) 8, 89th Texas Legislature, 2nd Called Session, 2025. TEA also anticipates making updates to Subchapter BB, §74.1025, Individual Graduation Committee Review, and §74.1027, Diplomas for Certain Individuals Who Entered Grade 9 Before 2011-2012 School Year, to remove the expiration date according to Texas Education Code §28.0259, as amended by HB 1603, 87th Texas Legislature, Regular Session, 2021.

This concludes the review of Chapter 74.

TRD-202602072  
Cristina De La Fuente-Valadez  
Director, Rulemaking  
Texas Education Agency  
Filed: May 18, 2026



#### Texas Optometry Board

##### Title 22, Part 14

The Texas Optometry Board (Board) has concluded the statutory review of 22 Texas Administrative Code, Part 14, Chapter 277 Practice and Procedure conducted in accordance with the requirements of Texas Government Code §2001.039. The Board's intent to review these chapters was published in the March 6, 2026, issue of the *Texas Register* (51 TexReg 1429). One comment regarding Chapter 277 was received regarding the Board's notice of review. The Board will propose amendments to Rule 277.7 in response to that comment.

The Board's review assessed and determined that the original reasons and justifications for adopting each rule in Chapter 277 continue to exist, reflect current legal and policy considerations, and the rules are within the agency's legal authority as certified by legal counsel. The Board readopts this chapter pursuant to the requirements of Texas Government Code.

Any revisions to these chapters identified by the Board during the rule review will be proposed in a future issue of the *Texas Register*.

This concludes the review of 22 TAC Chapter 277.

TRD-202602102  
Janice McCoy  
Executive Director  
Texas Optometry Board  
Filed: May 19, 2026



The Texas Optometry Board (Board) has concluded the statutory review of 22 Texas Administrative Code, Part 14, Chapter 279 - Interpretations conducted in accordance with the requirements of Texas Government Code §2001.039. The Board's intent to review these chapters was published in the March 6, 2026, issue of the *Texas Register* (51 TexReg 1429). Several comments were received regarding the Board's

notice of review. Those comments will be addressed when the Board proposes amendments to the rules.

The Board's review assessed and determined that the original reasons and justifications for adopting each rule in Chapter 279 continue to exist, reflect current legal and policy considerations, and the rules are within the agency's legal authority as certified by legal counsel. The Board readopts this chapter pursuant to the requirements of Texas Government Code.

Any revisions to these chapters identified by the Board during the rule review will be proposed in a future issue of the *Texas Register*.

This concludes the review of 22 TAC Chapter 279.

TRD-202602103  
Janice McCoy  
Executive Director  
Texas Optometry Board  
Filed: May 19, 2026



Department of State Health Services

**Title 25, Part 1**

The Texas Health and Human Services Commission (HHSC), in its own capacity and on behalf of the Texas Department of State Health Services (DSHS), adopts the review of the chapter below in Title 25, Part 1, of the Texas Administrative Code (TAC):

Chapter 229, Food and Drug

Notice of the review of this chapter was published in the February 20, 2026, issue of the *Texas Register* (51 TexReg 1175). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 229 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 229 except for:

- §229.88, Certificates of Competency
- §229.89, Examination
- §229.90, Certification and Renewal Fees
- §229.91, Suspension, Denial, or Revocation of Certificate
- §229.372, Permitting Fees and Procedures
- §229.472, Inspection Fees and Procedures

The repeals identified by HHSC in the rule review and any amendments, if applicable, to Chapter 229 will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 25 TAC Chapter 229 as required by Texas Government Code §2001.039.

TRD-202602063  
Jessica Miller  
Director, Rules Coordination Office  
Department of State Health Services  
Filed: May 18, 2026

