

TEXAS REGISTER

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How to Use the Texas Register

Information Available: The 11 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.

Secretary of State - opinions based on the election laws.

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Withdrawn Rules - sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after the proposal publication date.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 a 30-day public comment period.

Tables and Graphics - graphic material from the proposed, emergency and adopted sections.

Open Meetings - notices of open meetings.

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 20 (1995) is cited as follows: 20 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 "20 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 20 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, Room 245, James Earl Rudder Building, 1019 Brazos, Austin. Material can be found using *Texas Register* indexes, the *Texas Administrative Code*, section numbers, or TRD number.

Texas Administrative Code

The *Texas Administrative Code (TAC)* is the official 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*. West Publishing Company, the official publisher of the *TAC*, publishes on an annual basis.

The *TAC* volumes are arranged into Titles (using

Arabic numerals) and Parts (using Roman 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 *Official TAC* also is available on WESTLAW, West's computerized legal research service, in the TX-ADC database.

To purchase printed volumes of the *TAC* or to inquire about WESTLAW access to the *TAC* call West: 1-800-328-9352.

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 §27.15:

1 indicates the title under which the agency appears in the *Texas Administrative Code*; *TAC* stands for the *Texas Administrative Code*; §27.15 is the section number of the rule (27 indicates that the section is under Chapter 27 of Title 1; 15 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 *Table of TAC Titles Affected*. The table is published cumulatively in the blue-cover quarterly indexes to the *Texas Register* (January 21, April 15, July 12, and October 11, 1994). In its second issue each month the *Texas Register* contains a cumulative *Table of TAC Titles Affected* for the preceding month. If a rule has changed during the time period covered by the table, the rule's *TAC* number will be printed with one or more *Texas Register* page numbers, as shown in the following example.

TITLE 40. SOCIAL SERVICES AND ASSISTANCE
Part I. Texas Department of Human Services
40 TAC §3.704.....950, 1820

The *Table of TAC Titles Affected* is cumulative for each volume of the *Texas Register* (calendar year).

Update by FAX: An up-to-date *Table of TAC Titles Affected* is available by FAX upon request. Please specify the state agency and the *TAC* number(s) you wish to update. This service is free to *Texas Register* subscribers. Please have your subscription number ready when you make your request. For non-subscribers there will be a fee of \$2.00 per page (VISA, MasterCard). (512) 463-5561.

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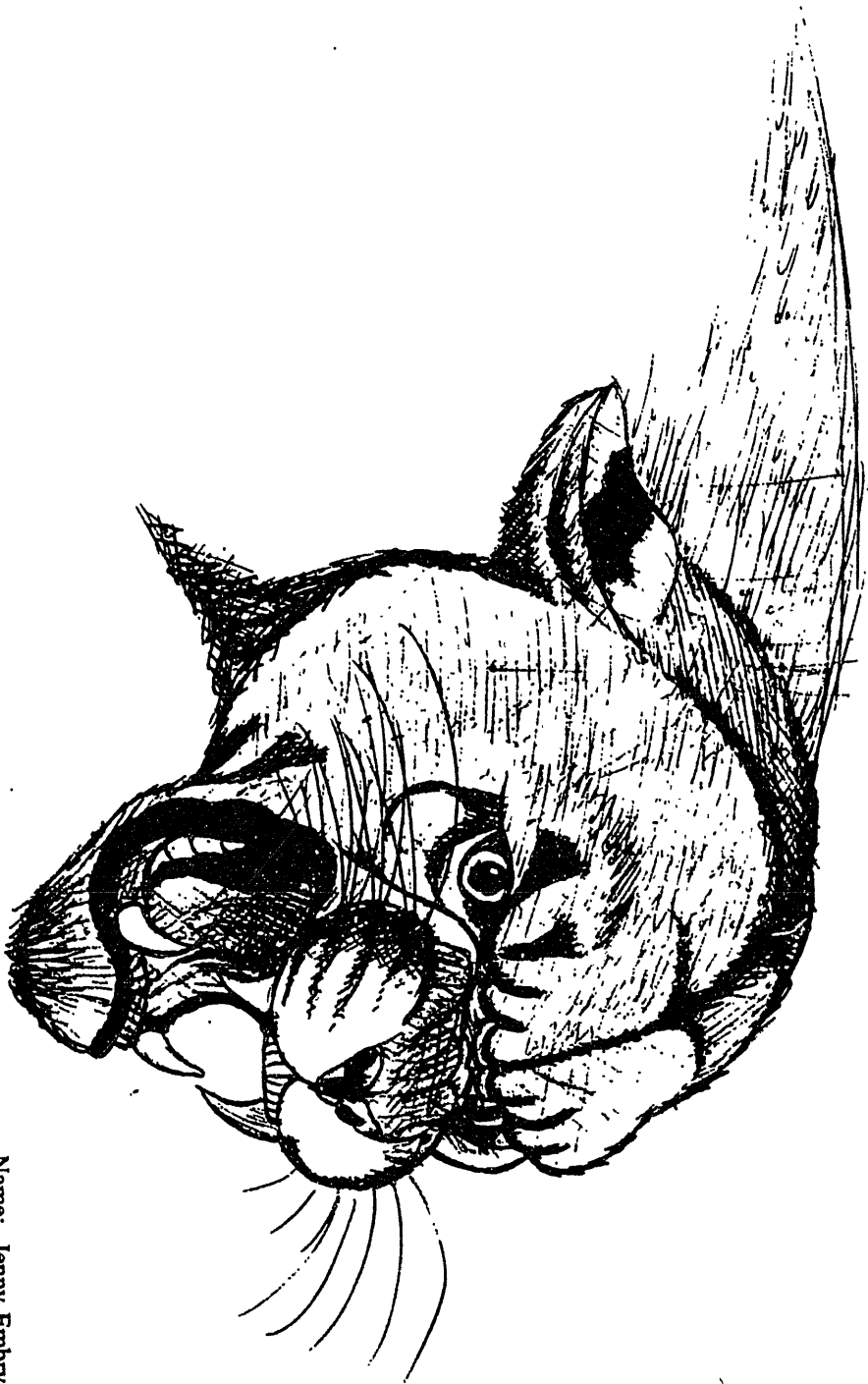
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U
J.E.

TABLES AND GRAPHICS

Graphic material from the emergency, proposed, and adopted sections is published separately in this tables and graphics section. Graphic material is arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic material is 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. Multiple graphics in a rule are designated as "Figure 1" followed by the TAC citation, "Figure 2" followed by the TAC citation.



TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

LOCAL SCHEDULE GR (3rd Edition)

RETENTION SCHEDULE FOR RECORDS COMMON TO ALL LOCAL GOVERNMENTS

This schedule establishes mandatory minimum retention periods for the records listed. No local government office may dispose of a record listed in this schedule prior to the expiration of its retention period. A records control schedule of a local government may not set a retention period for a record that is less than that established for the record on this schedule. The originals of records listed in this schedule may be disposed of prior to the expiration of the stated minimum retention period if they have been microfilmed or electronically stored pursuant to the provisions of the Local Government Code, Chapter 204 or Chapter 205, as applicable, and rules of the Texas State Library and Archives Commission adopted under authority of those chapters. Actual disposal of such records by a local government or an elective county office is subject to the policies and procedures of its records management program.

Destruction of local government records contrary to the provisions of the Local Government Records Act of 1989 and administrative rules adopted under its authority, including this schedule, is a Class A misdemeanor and, under certain circumstances, a third degree felony (Penal Code, Section 37.10). Anyone destroying local government records without legal authorization may also be subject to criminal penalties and fines under the Open Records Act (Government Code, Chapter 552).

INTRODUCTION

The Government Code, Section 441.158, provides that the Texas State Library and Archives Commission shall issue records retention schedules for each type of local government, including a schedule for records common to all types of local government. The law provides further that each schedule must state the retention period prescribed by federal or state law, rule of court, or regulation for a record for which a period is prescribed; and prescribe retention periods for all other records, which periods have the same effect as if prescribed by law after the records retention schedule is adopted as a rule of the commission.

Local Schedule GR sets mandatory minimum retention periods for records series that are usually found in all local governments, regardless of type. If the retention period for a record is established in a federal or state law, rule of court, or regulation, a citation to the relevant provision is given; if no citation is given, the authority for the retention period is this schedule.

The retention period for a record applies to the record regardless of the medium in which it is maintained. Some records listed in this schedule are maintained electronically in many offices, but electronically stored data used to create in any manner a record or the functional equivalent of a record as described in this schedule must be retained, along with the hardware and software necessary to access the data, for the retention period assigned to the record, unless backup copies of the data generated from electronic storage are retained in paper or on microfilm for the retention period.

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Unless otherwise stated, the retention period for a record is in calendar years from the date of its creation. The retention period, again unless otherwise noted, applies only to an official record as distinct from convenience or working copies created for informational purposes. Where several copies are maintained, the local government should decide which shall be the official record and in which of its divisions or departments it will be maintained. Local governments in their records management programs should establish policies and procedures to provide for the systematic disposal of copies.

If a record described in this schedule is maintained in a bound volume of a type in which pages are not designed to be removed, the retention period, unless otherwise stated, dates from the date of last entry.

If two or more records listed in this schedule are maintained together by a local government and are not severable, the combined record must be retained for the length of time of the component with the longest retention period. A record whose minimum retention period on this schedule has not yet expired and is *less than permanent* may be disposed of if it has been so badly damaged by fire, water, or insect or rodent infestation as to render it unreadable, or if portions of the information in the record have been so thoroughly destroyed that remaining portions are unintelligible. If the retention period for the record is *permanent* on this schedule, authorization to dispose of the damaged record must be obtained from the director and librarian of the Texas State Library. The Request for Authority to Destroy Unscheduled Records (Form SLR 501) should be used for this purpose.

Requests for Authority to Destroy Unscheduled Records (SLR 501), whose submission to the director and librarian of the Texas State Library is required by the Local Government Code, Section 203.045, need not be filed for records shown as exempt from the requirement.

Certain records listed in this schedule are assigned the retention period of AV (as long as administratively valuable). This retention period affords local governments the maximum amount of discretion in determining a specific retention period for the record described. Although AV may be used as a retention period on a records control schedule of a local government, it is in the best interests of any records management program that fixed retention periods be assigned for each records series. AV records tend to accumulate and go unmanaged.

Circumstances occasionally dictate that the retention period for a record listed in this schedule be longer if it is maintained in a particular type of local government or documents a particular type of activity. Consequently, if the retention period for a record on another commission schedule, issued for a particular type of local government or local government activity, is longer than that listed for the same record in this schedule, the longer retention period must be followed.

USE OF ASTERISK (*)

The appearance of an asterisk (*) before a record item number (or subitem number) or retention note indicates that either the record is new to this edition of Local Schedule GR or that the records description or retention period has been changed from the description or retention period that appeared in the 2nd edition of the schedule.

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ABBREVIATIONS USED IN THIS SCHEDULE

- AV - As long as administratively valuable
- CE - Calendar year end
- CFR - Code of Federal Regulations
- FE - Fiscal year end
- TAC - Texas Administrative Code

PART 1: ADMINISTRATIVE RECORDS

SECTION 1-1: RECORDS OF GOVERNING BODIES

Retention Note: SCOPE OF SECTION - The retention periods established in this section also apply to the records of subsidiary boards, bureaus, commissions, or committees established by the governing body of a local government that have rulemaking or quasi-judicial authority over any activity or program of the government or that were established by ordinance, order, or resolution for the purposes of advising the governing body or a subsidiary body on policy. Consequently, the use of the term "governing body" in a records description includes the corresponding records of these subsidiary bodies.

1000-01 AGENDAS

- a) Open meetings. RETENTION: 2 years.
- b) Closed sessions. RETENTION: 2 years. [By law - Government Code, Section 551.104(a).]

1000-02 DEDICATIONS. RETENTION: PERMANENT.

1000-03 MINUTES (the use of the term audio tape in (c)-(e) includes videotapes with sound).

- a) Written minutes. RETENTION: PERMANENT.
- b) Notes taken during meetings from which written minutes are prepared. RETENTION: 90 days after approval of minutes by the governing body. (Exempt from destruction request requirement)
- c) Audio tapes of open meetings, except as described in (d), for which written minutes *are not* prepared. RETENTION: PERMANENT.
- d) Audio tapes of workshop sessions of governing bodies in which votes are not made and written minutes are not required by law to be taken. RETENTION: 2 years.
- e) Audio tapes of open meetings for which written minutes *are* prepared. RETENTION: 90 days after approval of minutes by the governing body. (Exempt from destruction request requirement)
- f) Audio tapes of closed meetings. RETENTION: 2 years. [By law - Government Code, Section 551.104(a).]
- g) Supporting documentation - One copy of each document of *any type* submitted to a meeting of a governing body for consideration, approval, or other action; if such action is reflected in the minutes of the meeting. RETENTION: 2 years.

Retention Notes: a) *The retention periods for many of the documents submitted to a governing body for action are established elsewhere in this or other commission schedules and are often longer than the 2-year retention period for supporting documentation set here. The 2-year retention requirement does not override a longer retention requirement set elsewhere, but rather is meant to ensure that all documents presented for action by a governing body are retained at least two years. This schedule does not require that supporting documentation be maintained together, but the retention by the clerk or secretary to the governing body of one set of the documents submitted at each meeting (often called "council packets" in municipalities) for two years would ensure satisfaction of the minimum retention requirement. Clerks or secretaries to governing bodies should exercise caution in disposing of supporting documentation to avoid destruction of the record copy of a document for which they are custodian before the expiration of its retention period.*

b) *Review before disposal; some supporting documentation, not already required to be maintained permanently elsewhere in this or other commission schedules, may merit permanent retention for historical reasons.*

1000-04 OPEN MEETING NOTICES. RETENTION: 2 years.

FIGURE 1: 13 TAC §7.125(b)(1)

1000-05 **ORDINANCES, ORDERS, RESOLUTIONS** (including those that have been repealed, revoked, or amended). **RETENTION: PERMANENT.**

1000-06 **PETITIONS** - Petitions from the public to the governing body or subsidiary boards or commissions of a local government. **RETENTION: Consideration of the petition + 2 years.**

Retention Note: Does not include petitions noted elsewhere in this or other commission schedules or any petition presented to a commissioners court that state law requires a county clerk to record. See Local Schedule CC (Records of County Clerks).

1000-07 **PROCLAMATIONS.** **RETENTION: 2 years.**

SECTION 1-2: GENERAL RECORDS

1000-20 **ACCIDENT REPORTS** - Reports of accidents to persons on local government property or in any other situation in which a local government could be party to a law suit.

a) Reports of accidents to adults. **RETENTION: 5 years.**

b) Reports of accidents to minors. **RETENTION: 5 years; or 2 years after the minor reaches the age of 18, whichever later.**

1000-21 **AFFIDAVITS OF PUBLICATION** (including any accompanying clipping proofs or tear sheets)

a) Publication of municipal ordinances. **RETENTION: PERMANENT**

Retention Note: It is an exception to the permanent retention period that affidavits of publication and associated documentation for ordinances that are codified or re-codified may be disposed of after the effective date of the new code and are exempt from the destruction notice requirement.

b) Election notices.

1) Notices of election in which candidates for federal office *are not* involved. **RETENTION: 60 days after election day.** [By law - Election Code, Sections 4.005(d) and 66.058(a).] (Exempt from destruction request requirement)

2) Notices of election in which candidates for federal office *are* involved. **RETENTION: 22 months after election day.** [By law - Election Code, Sections 4.005(d) and 66.058(a).] (Exempt from destruction request requirement)

c) All other published legal notices. **RETENTION: 2 years.**

1000-22 **ANNEXATION, DISANNEXATION, ABOLITION, AND OTHER JURISDICTIONAL RECORDS** - Records relating to the annexation or disannexation of territory to or from a local government, to its abolition, or to other actions which affect its territorial jurisdiction or service area, including reports, correspondence, records of public hearings, agreements, and similar records. **RETENTION: 5 years.**

Retention Notes: a) A contract or agreement relating to territorial jurisdiction or the delivery of services between two or more governments (e.g., between a city and a county for fire services in an unincorporated area) must be kept for the retention period in item number 1000-25.

b) Review before disposal; many records of this type may merit permanent retention for historical reasons.

1000-23 **CHARTERS.** **RETENTION: PERMANENT.**

FIGURE 1: 13 TAC §7.125(b)(1)

1000-24 **COMPLAINTS** - Complaints received from the public by a governing body or any officer or employee of a local government relating to government policy. **RETENTION:** Resolution or dismissal of complaint + 2 years.

Retention Note: The 2-year retention period applies only to complaints of a general nature that do not fall into a different category of complaint noted in this or other commission schedules. For example, complaints from the public about potential fire hazards are scheduled in Local Schedule PS (Records of Public Safety Agencies) and have a longer retention period.

1000-25 **CONTRACTS, LEASES, AND AGREEMENTS** - Contracts, leases, and agreements, including reports, correspondence, performance bonds, and similar records relating to their negotiation, administration, renewal, or termination, except construction contracts (see item number 1075-16). **RETENTION:** 4 years after the expiration or termination of the instrument according to its terms.

1000-26 **CORRESPONDENCE AND INTERNAL MEMORANDA** (includes incoming and copies of outgoing correspondence and internal correspondence and memoranda).

Retention Note: The minimum retention period for correspondence or internal memoranda in categories (a) and (b) directly linked to another record series or group listed in this or other commission schedules is that assigned to the other group or series. For example, a letter from an external auditor regarding an audit of a local government's financial records should be retained for the retention period given under item number 1025-01(e); a letter concerning a workers compensation claim should be retained for the period given under item number 1050-32, etc. The retention periods that follow are for correspondence and internal memoranda that do not readily fall within other record groups.

a) Policy and program development - Correspondence and internal memoranda pertaining to the formulation, planning, implementation, modification, or redefinition of the policies, programs, services, or projects of a local government. **RETENTION:** 5 years.

Retention Note: Review before disposal; some correspondence of this type may merit permanent retention for historical reasons.

b) Administrative - Correspondence and internal memoranda pertaining to or arising from the routine administration or operation of the policies, programs, services, and projects of a local government. **RETENTION:** 2 years.

c) Routine - Correspondence and internal memoranda such as letters of transmittal, requests for publications, internal meeting notices, and similar routine matters. **RETENTION:** AV. (Exempt from destruction request requirement)

1000-27 **DEEDS** (including title opinions, abstracts and certificates of title, title insurance, documentation concerning alteration or transfer of title, and similar records evidencing public ownership of real property). **RETENTION:** PERMANENT.

1000-28 **EASEMENTS** - Documentation relating to easements and rights-of-way for public works or other local government purposes, including releases. **RETENTION:** PERMANENT.

1000-29 **INSURANCE POLICIES** - Liability, theft, fire, health, life, automobile, and other policies for local government property and personnel, including supporting documentation relevant to the implementation, modification, renewal, or replacement of policies. **RETENTION:** 4 years after expiration or termination of the policy according to its terms.

1000-30 **LEGAL OPINIONS** - Legal opinions rendered by counsel for a local government or the Attorney General, including any written requests for opinions, concerning the governance and administration of a local government. **RETENTION:** PERMANENT.

1000-31 **LITIGATION CASE FILES** (including all cases to which a local government is a party unless the case file is of a type noted elsewhere in this or other commission schedules). **RETENTION:** AV after final disposition of the case. (Exempt from destruction request requirement)

Retention Note: Review before disposal; some case files may merit permanent retention for historical reasons.

1000-32 **MINUTES (STAFF)** - Minutes of internal staff meetings. RETENTION: AV. (Exempt from destruction request requirement)

1000-33 **NEWS RELEASES**. RETENTION: AV. (Exempt from destruction request requirement)

1000-34 **OPEN RECORDS REQUESTS** - Open records requests, including correspondence and other documentation relating to the request. RETENTION: 1 year after final decision on request. (Exempt from destruction request requirement)

1000-35 **ORGANIZATIONAL CHARTS**. RETENTION: Until superseded. (Exempt from destruction request requirement)

1000-36 **PERMITS AND LICENSES** - Records documenting the application for and the issuance of permits and licenses by a local government for sales, solicitation, facility usage, and similar activities. *Does not include* permits and licenses issued for the construction of or alterations to real property, for those relating to health and sanitation, or for those issued by police or fire departments listed in other commission schedules. RETENTION: Expiration, cancellation, revocation, or denial + 2 years.

1000-37 **PHOTOGRAPHS, RECORDINGS, AND OTHER NON-TEXTUAL MEDIA** - Photographs, photographic scrapbooks, slides, sound recordings, videotapes, posters, and other non-textual media that document the history and activities of a local government or any of its departments, programs, or projects *except* such records noted elsewhere in this or other commission schedules. RETENTION: PERMANENT, but see retention note.

Retention Note: Most photographs and other non-textual media of the types described must be retained permanently for historical reasons, but latitude is allowed to the records management officer and the custodians of records in a local government to determine to what extent a particular photograph, for example, documents the history and activities of the local government. If it is determined that it does not, it need be kept only as long as administratively valuable. Be certain that photographs and other non-textual media do not fall within other records series. For example, mug shots and photographs of fire damage are listed in Local Schedule PS (Records of Public Safety Agencies) under police and fire department records respectively.

1000-38 **POLICY AND PROCEDURE DOCUMENTATION** - Executive orders, directives, manuals, and similar documents that establish and define the policies, procedures, rules, and regulations governing the operations or activities of a local government as a whole or any of its departments, programs, services, or projects. RETENTION: Until superseded + 5 years.

Retention Note: Review before disposal; some documentation of this type may merit permanent or long-term retention for historical or legal reasons.

1000-39 **PUBLICATIONS** - Pamphlets, reports, studies, proposals, and similar material printed by or for a local government or any of its departments, subdivisions, or programs and distributed to or intended for distribution to the public on request and departmental or program newsletters designed for internal distribution. RETENTION: One copy of each PERMANENT.

Retention Note: The following categories of printed material, whether distributed publicly or internally, are exempted from the retention period and may be disposed of at option; (a) educational or solicitative matter provided by charitable or public awareness organizations (e.g., United Way, American Heart Association); and (b) public service leaflets or flyers prepared by a local government or others whose contents are of a general nature and not specific to the government distributing them, beyond the inclusion of an address, telephone number, office hours, and similar information (e.g., a flyer detailing water conservation tips sent to customers of a municipal water utility; a pamphlet explaining the appraisal review board process sent to taxpayers by an appraisal district).

1000-40 RECORDS MANAGEMENT RECORDS

a) Records control schedules (including all successive versions of and amendments to schedules). RETENTION: PERMANENT.

b) Records destruction documentation - Records documenting the destruction of records under records control schedules, including requests submitted to the Texas State Library and Archives Commission for authorization to

FIGURE 1: 13 TAC §7.125(b)(1)

destroy unscheduled records or the originals of permanent records that have been microfilmed. **RETENTION: PERMANENT**

c) Records inventories - Lists or inventories of the active and inactive records created or received by a local government. **RETENTION: AV.** (Exempt from destruction request requirement)

d) Records management plans and policy documents - Plans and similar documents establishing the policies and procedures under which a records management program operates. **RETENTION: Until superseded + 5 years.**

1000-41 REPORTS AND STUDIES (NON-FISCAL)

a) Annual, sub-annual, or irregularly prepared reports, performance audits, or planning studies submitted to the governing body or chief administrative officer of a local government or by the local government to a state agency, as may be required by law or regulation, on the non-fiscal performance of a department, program, or project or for planning purposes, including those prepared by consultants under contract with a local government, *except* documents of similar types noted in this or other commission schedules.

1) Annual reports. **RETENTION: PERMANENT.**

2) Special reports or studies prepared by order or request of the governing body or considered by the governing body (as reflected in its minutes) or ordered or requested by a state agency or a court. **RETENTION: PERMANENT.**

3) Special reports or studies prepared by order or request of the chief administrative officer. **RETENTION: 5 years.**

Retention Note: Review before disposal; many records of this type may merit permanent retention for historical reasons.

4) Monthly, bimonthly, quarterly, or semi-annual reports. **RETENTION: 3 years.**

b) Activity reports compiled on a daily or other periodic basis pertaining to workload measures, time studies, number of public contacts, etc., *except* reports of similar types noted in this or other commission schedules. **RETENTION: 1 year.** (Exempt from destruction request requirement)

1000-42 **WAIVERS OF LIABILITY** (including statements signed by volunteers acknowledging non-entitlement to benefits, agreeing to abide by local government policies, etc.). **RETENTION: 3 years** from date of cessation of activity for which the waiver was signed.

PART 2: FINANCIAL RECORDS

Retention Notes: a) **AUDIT REQUIREMENTS** - Most local governments are required by state law to conduct annual or biennial audits of their records and accounts. These audit requirements were taken into account in setting the retention periods in this schedule. The following retention rules also apply:

1) In any local government for which there is no statutory audit requirement and audits are conducted irregularly or in a local government in which a statutorily required audit is delayed, any record in this schedule whose retention period dates from the end of a fiscal year (FE) must be retained for the retention period stated or one year after audit, whichever later.

2) With regard to any special fund of a local government or elective county office for which there is no statutory audit requirement and the fund is not audited, any records listed under item numbers 1025-26, 1025-27, 1025-28, and 1025-30 associated with receipts and disbursements from or to the fund must be retained for FE + 10 years.

b) **GRANT RECORDS** - Subsections (1)-(3) apply to any local government, *except* school districts, receiving federal, state, private grants; subsection (4) applies to school districts only.

FIGURE 1: 13 TAC §7.125(b)(1)

1) Direct Federal Grants - This subsection applies to grants received by a local government directly from a federal grantor agency.

i) Most federal grantor agencies require that grant-related records be retained for audit purposes for 3 years from the filing of expenditure reports. A few agencies, however, require a 5-year retention. Reference should be made to the specific terms of each grant to determine whether a 3-year or 5-year retention period is required and whether additional retention provisions apply.

ii) In addition to item number 1025-08(a)-(b), financial and programmatic records of grant-funded projects, including copies or documentation of relevant accounting, banking, purchasing, and payroll records, and other documents and working papers associated with the financial and programmatic administration of the grant funds or used to prepare reports or forms required by federal law or regulation must be retained for the following periods:

A) For grants continued or renewed annually or at other intervals except quarterly - 3 or 5 years from the date of submission of the annual or other periodic expenditure report.

B) For grants continued or renewed quarterly - 3 or 5 years from the date of submission of the expenditure report for the last quarter of the federal fiscal year.

C) For grants for which the requirement of a final expenditure report has been waived - 3 or 5 years from the date the report would have been due.

D) For all other grants - 3 or 5 years from the date of submission of the final expenditure report.

iii) The retention periods for the following types of records are exceptions to the periods noted above:

A) Records of non-expendable property or equipment acquired with grant funds - 3 or 5 years from the date of transfer, replacement, sale, or junking of the item.

B) Cost allocation plans and indirect cost records - 3 or 5 years from date of submission or, for plans prepared and retained by the grantee, from the close of the fiscal year covered by the plan.

C) Income records - 3 or 5 years from the end of the fiscal year in which the income is used.

iv) If any litigation or audit commences before the expiration of the 3 or 5 year period, the records must be retained until all litigation or audit findings are resolved or until the end of the regular 3 or 5 year period, whichever later.

v) If records are transferred to the grantor agency at its request, copies of the records need not be retained.

2) Indirect Federal Grants - This subsection applies to federal grants received as subgrants from state agencies or other local governments (e.g., regional councils of government).

The expenditure reports are submitted to the federal agency by the state or local subgrantor agency after all subgrantees have submitted reports to the subgrantor. Consequently, records under item number 1025-08(a)-(b) and records described in section (b)(1) must be retained by local government subgrantees for the following minimum retention periods:

i) For grant programs with a 3-year federal retention requirement - FE + 5 years.

ii) For grant programs with a 5-year federal retention requirement - FE + 7 years.

Copies of reports or records submitted to the subgrantor agency must be retained by the local government for the periods indicated.

3) State and Private Grants - This schedule extends the 3-year federal retention requirement described in section (b)(1) to state (excluding federal subgrants) and private grant records unless the state or private grantor agency has

FIGURE 1: 13 TAC §7.125(b)(1)

established different retention requirements, in which case those requirements shall prevail. It is an exception to the extension of federal grant requirements to state and private grants that for state or private grants renewed quarterly as described in section (b)(1)(ii)(B), the 3-year retention requirement runs from the date of submission of the expenditure report for the last quarter of the state fiscal year for state grants and from the last quarter of the local government's fiscal year for private grants.

4) Grant Records and School Districts (including Educational Service Centers) - See Local Schedule SD (Records of Public School Districts). Because of the difficulty of effectively separating financial data that evidence the expenditure of federal funds from those that document the expenditure of local or state-allocated funds, a 7-year retention period has been adopted for most financial records of school districts. The use of the term "school district" in this schedule includes educational service centers, county departments of education, and educational cooperatives.

SECTION 2-1: FISCAL ADMINISTRATION AND REPORTING

1025-01 AUDIT RECORDS (by both internal and external auditors).

- a) Annual or biennial cumulative audit. RETENTION: PERMANENT.
- b) Annual, biennial, or other periodic audit of a department, program, fund, or account *if included* in a cumulative audit under (a). RETENTION: 2 years.
- c) Annual, biennial, or other periodic audit of a department, program, fund, or account *if not included* in a cumulative audit under (a). RETENTION: PERMANENT.
- d) Special audits ordered by a governing body, a court or grand jury, or mandated by administrative rules of a state or federal agency. RETENTION: PERMANENT.
- e) Working papers, summaries, and similar records created for the purposes of conducting an audit. RETENTION: 3 years after all questions arising from the audit have been resolved.

1025-02 **BANK SECURITY RECORDS** - Records documenting the pledging of bonds or securities by banks serving as depositories for public funds including depository contracts, security pledges and statements, surety bonds, and similar records. RETENTION: 4 years after termination, expiration, or release of contractual obligations.

1025-03 BOND RECORDS (*see retention note to item number 1025-09*).

- a) Bond administrative records consisting of preliminary studies, proposals and prospectuses, authorizations and certifications for issuance or cancellation, and related policy correspondence. RETENTION: PERMANENT.
- b) Bond certificates and redeemed coupons. RETENTION: 1 year after payment. (Exempt from destruction request requirement) [By law - Civil Statutes, art. 717I-1 for counties (see statute for procedural instructions for destruction); by authority of this schedule for all other local governments.]
- c) Bond registers. RETENTION: PERMANENT.
- d) Records relating to the exchange, conversion, or replacement of bonds by bondholders. RETENTION: 1 year and exempt from destruction request requirement if information is contained in a bond register; PERMANENT, if information is not contained in a bond register.

1025-04 BUDGETS AND BUDGET DOCUMENTATION

- a) Annual budgets (including amendments). RETENTION: PERMANENT.
- b) Special budgets (includes budgets for capital improvement projects, grant-funded projects, or other projects prepared on a special or emergency basis and not included in an annual budget). RETENTION: PERMANENT.

FIGURE 1: 13 TAC §7.125(b)(1)

c) Working papers created exclusively for the preparation of budgets, including budget requests, justification statements, and similar documents. RETENTION: 2 years.

d) Encumbrance and expenditure reports (status reports showing expenditures and encumbrances against a budget). RETENTION: 2 years.

e) Budget change documentation, including line item or contingency/reserve fund transfers and supplemental budget requests. RETENTION: 2 years.

1025-05 CAPITAL ASSETS RECORDS - Documentation relating to the capital and fixed assets of a local government.

a) Equipment or property history cards or similar records containing data on initial cost, including disposal authorizations when disposed of. RETENTION: FE of date of disposal + 7 years for school districts; + 3 years for other governments.

b) Equipment or property cost and depreciation schedules or summaries used for capital outlay budgeting or other financial or budget control purposes. RETENTION: FE + 7 years for school districts; + 3 years for other governments.

c) Equipment or property inventories (including sequential number property logs). RETENTION: Until superseded + 3 years.

d) Property sale, auction, or disposal records of government-owned equipment or property. RETENTION: 1 year. (Exempt from destruction request requirement). [By law - Local Government Code, Section 263.155(b) for counties; by authority of this schedule for all other local governments.]

Retention Note: Property sale or auction records under (d) do not include records arising from the sale or auction of property foreclosed or seized by a taxing unit for failure to pay property taxes or for the sale or auction of property seized by law enforcement officers. For such records use Local Schedule TX (Records of Property Taxation) or Local Schedule PS (Records of Public Safety Agencies) respectively.

1025-06 FEDERAL REVENUE SHARING RECORDS - Records concerning the use of federal revenue sharing funds by a local government, including revenue and expenditure summaries; status, budget, and audit reports; and other reports or documentation required by federal law or regulation. RETENTION: 3 years. [By regulation - 31 CFR 51.11(b), 51.12(c), and 51.108(a) and (d).]

1025-07 FINANCIAL REPORTS - Annual, sub-annual, or irregularly prepared financial reports or statements on the accounts, funds, or projects of a local government created either for internal use or for submission to state agencies as may be required by law or regulation, *except* reports of similar types noted in this or other commission schedules.

a) Monthly, bimonthly, quarterly, or semi-annual reports. RETENTION: FE + 3 years.

b) Annual reports. RETENTION: PERMANENT.

c) Long range fiscal planning reports. RETENTION: PERMANENT.

d) Capital improvement reports. RETENTION: PERMANENT.

1025-08 GRANT DEVELOPMENT AND ADMINISTRATIVE RECORDS

a) Successful grant applications and proposals and any documentation that modifies the terms of a grant. RETENTION: FE + 7 years for school districts; + 3, 5, or 7 years for other governments.

Retention Note: See note (b) at beginning of Part 2 of this schedule.

b) Financial, performance, and compliance reports submitted to grantor or subgrantor agencies. RETENTION: FE + 7 years for school districts; + 3, 5 or 7 years for other governments.

FIGURE 1: 13 TAC §7.125(b)(1)

Retention Note: See note (b) at beginning of Part 2 of this schedule.

c) Reports, planning memoranda, studies, correspondence, and similar records created for and used in the development of successful grant proposals. RETENTION: 3 years.

d) Any records of the type noted in (a) or (b) relating to unsuccessful grant proposals. RETENTION: AV. (Exempt from destruction request requirement)

1025-09 INVESTMENT TRANSACTION RECORDS - Documentation relating to the investment of public funds (e.g., certificates of deposit) that evidences the investment of funds, the performance or return of investments, the cancellation or withdrawal of investments, and similar activity. RETENTION: FE + 7 years for school districts; + 5 years for other governments.

Retention Note: It is an exception to the retention period for this item that records of investments and the calculation of arbitrage rebate amounts (if any) on proceeds from the sale of tax exempt bonds must be retained for 6 years after the retirement of the last obligation of the bond issue.

SECTION 2-2: ACCOUNTING RECORDS

Retention Note: PAYROLL RECORDS - For records relating to the disbursement of payroll see Section 3-2.

1025-25 ACCOUNTING POLICIES AND PROCEDURES DOCUMENTATION - Policy and procedure directives and similar records documenting accounting methodology. RETENTION: Until superseded + 5 years.

1025-26 ACCOUNTS PAYABLE AND DISBURSEMENT RECORDS - Claims, invoices, statements, copies of checks and purchase orders, expenditure authorizations, and similar records that serve to document disbursements, including those documenting claims for and reimbursement to employees for travel and other employment-related expenses. RETENTION: FE of date of payment + 7 years for school districts; + 3 years for other governments, *except for the following:*

a) Accounts payable records sufficient to document the purchase costs of capital equipment or other fixed assets if capital asset documentation of the type noted under item number 1025-05(a) is not created. RETENTION: FE of date of disposal + 7 years for school districts; + 3 years for other governments.

b) Fund transmittal reports accompanying the transmittal of funds to federal, state, or other local government agencies (e.g., sales tax to the State Comptroller of Public Accounts), to retirement systems, or to other entities if the funds are collected in whole or in part on behalf of other agencies or individuals (e.g., retirement deductions of employees), *except* those accompanying the transmittal of federal and state payroll and unemployment taxes [see item number 1050-53(b)]. RETENTION: FE of period covered by report + 3 years.

1025-27 ACCOUNTS RECEIVABLE RECORDS - Bill copies or stubs, statements, billing registers, account cards, deposit warrants, cash receipts, receipt books, cash transfers, daily cash reports, cash drawer reconciliations, and similar records that serve to document money owed to or received by a local government and its collection or receipt. RETENTION: FE of date of receipt + 7 years for school districts; + 3 years for other governments, *except for the following:*

a) Accounts receivable records documenting the receipt of any monies by any local government that are remittable to the State Comptroller of Public Accounts (e.g., court costs in criminal cases, sales tax). RETENTION: Remittance due date + 7 years for school districts; + 5 years for other governments.

b) Account card or similar record documenting payments to a local government in which the government holds a property lien until the debt is satisfied (e.g., liens arising from demolition, lot cleaning), including original liens and lien releases. RETENTION: FE of date of final payment and release of lien + 3 years.

c) Account card or similar record relating to the receipt of cash deposits as sureties for the delivery of services (e.g., water and wastewater). RETENTION: FE of termination of service or refund of deposit + 3 years.

FIGURE 1: 13 TAC §7.125(b)(1)

d) Records of accounts deemed uncollectable, including write-off authorizations. RETENTION: FE of write-off date + 7 years for school districts; + 3 years for other governments.

Retention Note: For accounts receivable records associated with the collection of property taxes, all local governments, including school districts, should use Local Schedule TX (Records of Property Taxation).

1025-28 **BANKING RECORDS** - Bank statements, canceled checks, check registers, deposit slips, debit and credit notices, reconciliations, notices of interest earned, etc. RETENTION: FE + 7 years for school districts; + 5 years for other governments.

1025-29 **COST ALLOCATION AND DISTRIBUTION RECORDS** - Records created to document the allocation of costs among accounts and funds of a local government, including records relating to chargebacks and other interdepartmental or interfund accounting transactions. RETENTION: FE + 7 years for school districts; + 3 years for other governments.

Retention Note: If any of the records in this group are used as ledger and journal entry documentation, they must be retained for FE + 5 years (see item number 1025-30) by all local governments.

1025-30 **LEDGERS, JOURNALS, AND ENTRY DOCUMENTATION**

Retention Note: Be certain to verify before the disposal of any ledger or journal under this item number that the ledger or journal does not serve to document financial activities that require a longer retention period (e.g. investment documentation of proceeds of tax exempt bonds under item number 1025-09).

a) General ledger showing receipts and expenditures from all accounts and funds of a local government.

1) For fiscal years for which an annual audit report (see item number 1025-01) exists. RETENTION: FE + 7 years for school districts; + 5 years for other governments.

Retention Note: Review before disposal; some ledgers may merit permanent retention for historical reasons.

2) For fiscal years for which an annual audit report (see item number 1025-01) does not exist. RETENTION: PERMANENT.

b) Subsidiary ledgers. RETENTION: FE + 7 years for school districts; + 5 years for other governments.

Retention Note: Review before disposal; some ledgers may merit permanent retention for historical reasons.

c) Receipt, disbursement, general, or subsidiary journals. RETENTION: FE + 7 years for school districts; + 5 years for other governments.

Retention Note: Review before disposal; some journals may merit permanent retention for historical reasons.

d) Journal vouchers and entries or similar posting control forms (including supporting documentation such as correspondence and auditor adjustments that evidence journal entries and amendments). RETENTION: FE + 7 years for school districts; + 5 years for other governments.

Retention Note: If bill stubs (see item number 1025-27) are used as entry documentation for account journals, they must be retained by all local governments other than school districts for FE + 5 years rather than the FE + 3 year retention period for accounts receivable records.

e) Perpetual care fund registers of municipally-owned cemeteries. RETENTION: PERMANENT. [By law - Health and Safety Code, Section 713.005(a).]

FIGURE 1: 13 TAC §7.125(b)(1)

1025-31 TRANSACTION SUMMARIES - Periodic summaries or reports of accounting transactions or activity by department, budget code, program, account, fund, or type of activity, including trial balances, unless the summary is of a type listed elsewhere in this part.

- a) Daily. RETENTION: 30 days. (Exempt from destruction request requirement)
- b) Weekly. RETENTION: 90 days. (Exempt from destruction request requirement)
- c) Monthly, bimonthly, quarterly, or semi-annual. RETENTION: 2 years.
- d) Annual. RETENTION: FE + 7 years for school districts; + 3 years for other governments.

Retention Note: If an annual trial balance is not maintained, then the least frequent sub-yearly trial balance must be retained for FE + 7 years by school districts and FE + 3 years by all other local governments.

1025-32 UNCLAIMED PROPERTY DOCUMENTATION - Any form of record sufficient to verify information on unclaimed property previously reported to the State Treasurer showing the name and last known address of the apparent owner of reportable unclaimed property, a brief description of the property, and the balance of each unclaimed account, if appropriate. RETENTION: Date on which property is reportable + 10 years. [By law - Property Code, Section 74.103(b).]

PART 3: PERSONNEL AND PAYROLL RECORDS

Retention Notes: a) FEDERAL RETENTION REQUIREMENTS - Federal retention periods for personnel and payroll records arise principally from the administration of the Civil Rights Act of 1964, Title VII; the Age Discrimination and Employment Act of 1967; the Equal Pay Act; the Fair Labor Standards Act; the Federal Insurance Contribution Act; and the Federal Unemployment Tax Act. These acts are administered by various federal agencies or departments of agencies and, because retention periods are set to enable each agency to carry out its particular oversight authority, different retention periods are often established for the same record. In compiling Schedule GR, the longest applicable federal retention period is cited as authority for the retention period indicated. A federal regulation is not cited if a state law or regulation requires a longer retention period. A federal retention period is also not cited if a Texas statute of limitations makes a longer retention period advisable. For example, the federal retention requirement for employment contracts [see item number 1050-15(a)] is given as 3 years from the last effective date of the contract in 26 CFR 516.5, but suits in Texas may be brought by either party to such a contract within four years of the occurrence of an alleged breach; therefore a retention period of 4 years from the last effective date of the contract is set in this schedule. All retention periods in this part apply, by authority of this schedule, to all local governments, although some of them may be otherwise exempt from the federal requirement cited. This provision does not require the creation by exempted local governments of any special documentation demonstrating compliance with federal regulations that may be required of non-exempted governments.

b) PERSONNEL FILES - The individual employee personnel file is not scheduled as a unit in this section; documents normally placed in such files are scheduled separately. Please note, however, that some information must be retained permanently [see item numbers 1050-12, 1050-52(b) and 1050-54(a)] on each employee.

c) TERMINATED EMPLOYEES - Notwithstanding any retention periods in this part, all personnel records existing on the date of termination of an involuntarily terminated employee must be retained for 2 years from the date of termination [29 CFR 1602.31, 1602.40, and 1602.49].

d) JTPA AND CETA EMPLOYEES - Any records maintained on applicants for or holders of positions paid in whole or in part from Comprehensive Employees' Training Act (CETA) funds or affirmative action apprenticeship program funds administered by the U. S. Department of Labor must be retained for 5 years from the date of enrollment in the program. [20 CFR 676.35(b) and 29 CFR 30.8(e)]. This 5 year retention period is extended by authority of this schedule to comparable records on applicants for or holders of positions paid in whole or in part from Job Training Partnership Act (JTPA) funds.

e) DEFINITION OF EMPLOYEE - For the purposes of this part, the term "employee" also includes elected or appointed officials of a local government who are paid wages or a salary from any funds of the local government.

FIGURE 1: 13 'TAC §7.125(b)(1)

f) *PERSONNEL RECORDS IN SHERIFF'S DEPARTMENTS IN CERTAIN COUNTIES* - The Local Government Code, Section 157.904, provides that sheriff's departments in counties with a population of 2,000,000 or more shall maintain "a permanent personnel file on each department employee." The precise contents of a personnel file are not specified, but three groups of records are expressly mentioned. Consequently, any record in item numbers 1050-03, 1050-07, and 1050-21, all of which are records of a type mentioned in the statute, must be retained permanently. What other records may be includable in a permanent personnel file in sheriffs' departments subject to the law should be determined by the sheriffs and their legal counsel.

SECTION 3-1: PERSONNEL RECORDS

1050-01 AFFIRMATIVE ACTION PLANS

a) Reports, analyses, and statistical data compiled from source documentation used to develop, implement, and monitor affirmative action plans. RETENTION: 5 years. [By regulation - 29 CFR 30.8(e).]

b) Affirmative action plans. RETENTION: Until superseded + 5 years. [By regulation - 29 CFR 30.8(e).]

1050-02 APTITUDE AND SKILLS TEST RECORDS - Records relating to aptitude or skills tests *required* of job applicants or of current personnel to qualify for promotion or transfer, including civil service examinations.

a) Validation studies. RETENTION: Life of test + 2 years.

b) Tests. RETENTION: Until superseded + 2 years. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

Retention Note: One copy of each different test (different in terms of either questions or administration procedures) should be retained for the period indicated.

c) Test papers of persons taking tests. RETENTION: 2 years. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

d) Records, *other* than those noted (a)-(c), relating to the planning and administration of tests. RETENTION: 3 years.

1050-03 AWARDS AND COMMENDATIONS. RETENTION: Date of separation + 5 years.

1050-04 CERTIFICATES AND LICENSES - Certificates, licenses, or permits required of employees to qualify for or remain eligible to hold a position requiring certification or licensing. RETENTION: Until superseded or separation of employee + 5 years.

Retention Note: If the submission of copies of certificates, licenses, or permits is required of all applicants for a position, those of applicants not hired must be retained for 2 years under item number 1050-14.

1050-05 CONFLICT OF INTEREST AFFIDAVITS. RETENTION: 5 years after leaving position for which the affidavit was filed.

1050-06 COUNSELING PROGRAM FILES

a) Reports of interviews, analyses, and similar records relating to the counseling of an employee for work-related, personal, or substance abuse problems. RETENTION: 3 years after termination of counseling.

b) Records relating to the planning, coordination, implementation, direction, and evaluation of a employee counseling program. RETENTION: 3 years.

1050-07 DISCIPLINARY AND ADVERSE ACTION RECORDS - Records created by civil service boards or by personnel or supervisory officers in considering, or reconsidering on appeal, an adverse action (e.g., demotion, probation, termination, suspension, leave without pay) against an employee, including, as applicable, witness and employee statements,

FIGURE 1: 13 TAC §7.125(b)(1)

interview reports, exhibits, reports of findings, and decisions and judgments. RETENTION: 2 years after case closed or action taken, as applicable. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

1050-08 **EMPLOYEE PENSION AND BENEFITS RECORDS** [for records of pension and deferred compensation deductions from payroll see 1050-52(b)].

a) Employee benefit plans such as pension; life, health, and disability insurance; seniority and merit systems; and deferred compensation plans, including amendments. RETENTION: Termination of plan + 1 year. [By regulation - 29 CFR 1627.3(b)(2).]

Retention Note: If the plan or system is not in writing, a memorandum fully outlining the terms of the plan or system and the manner in which it has been communicated to affected employees, together with notations relating to any changes or revisions, must be retained for the same period as written plans.

b) Enrollment forms providing personal identifying data, beneficiary information, option selection, and similar information.

1) If the official record is maintained by the retirement system of which the local government is a member or by the service provider. RETENTION: AV. (Exempt from destruction request requirement)

2) If the official record is maintained by the local government.

A) Pension and deferred compensation. RETENTION: PERMANENT.

B) Life, health, and disability insurance. RETENTION: Termination of coverage + 4 years.

c) Annual reports from a pension system or fund. RETENTION: PERMANENT.

1050-09 **EMPLOYEE RECOGNITION RECORDS** - Award committee reports, selection criteria, nominations, and similar administrative records of employee award or incentive programs. RETENTION: 2 years.

1050-10 **EMPLOYEE SECURITY RECORDS**

a) Records created to control and monitor the issuance of keys, identification cards, passes, or similar instruments of identification and access. RETENTION: Until superseded, date of expiration, or date of separation + 2 years, as applicable.

b) Records relating to the issuance of parking permits. RETENTION: Until superseded. (Exempt from destruction request requirement)

1050-11 **EMPLOYEE SELECTION RECORDS** - Notes of interviews with candidates; audio and videotapes of job interviews; applicant rosters; eligibility lists; test ranking sheets; justification statements for violating eligibility or ranking sequence; background, criminal history, and previous injury checks; polygraph examination results; offers of employment letters; and similar records documenting the filling of a vacant position. RETENTION: 2 years from the creation (or receipt) of the record or the personnel action involved, whichever later. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

1050-12 **EMPLOYEE SERVICE RECORD** - Summary employment history record for each employee maintained on one or more forms, containing the following *minimum* information: name; sex; date of birth; social security number; positions held with dates of hire, promotion, transfer, or demotion; dates of leaves of absence or suspension that affect computation of length of service; wage or salary rate for each position held, including step or merit increases within grades; and date of separation. [For other information on employees that must also be retained permanently either as part of this record or in another form, see item numbers 1050-52(b) and 1050-54(a)]. RETENTION: PERMANENT.

Retention Notes: a) This schedule does not require the creation of an employee service record of the type described, but the creation of the record is strongly recommended to allow frequent disposal of documents from which information has been summarized. If an employee service record is not maintained, documents (e.g., employment applications, personnel action forms) containing the prescribed information must be retained permanently. More than one document providing the same element of required information need not be retained.

FIGURE 1: 13 TAC §7.125(b)(1)

b) *The Teacher Service Record (Texas Education Agency Form FIN-115 or its equivalent), containing information required by statute or regulation, shall be considered an employee service record of the type described and must be retained permanently.*

c) *Salary or wage data on an employee service record may be indicated by grade and step numbers if all corresponding wage rate tables (see item number 1050-59) applicable to a person's employment history are retained permanently.*

1050-13 EMPLOYMENT ADVERTISEMENTS OR ANNOUNCEMENTS - Advertisements or postings relating to job openings, promotions, training programs, or overtime opportunities, including jobs orders submitted to employment agencies. RETENTION: 2 years. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

1050-14 EMPLOYMENT APPLICATIONS - Applications, transcripts, letters of reference, and similar documents whose submission by candidates for vacant positions (both hired and not hired) or for promotion, transfer, or training opportunity (both selected and not selected) is required on the application form, by application procedures, or in the employment advertisement. RETENTION: 2 years from the creation (or receipt) of the record or the personnel action involved, whichever later, *except the following*: [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

a) Samples of publications, artwork, or other products of prior achievement not returned to applicants. RETENTION: AV. (Exempt from destruction request requirement)

b) Transcripts of persons *hired* if state or federal law or regulation mandates a level of education needed to qualify for employment (e.g., school district professional and paraprofessional personnel). See also item number 1050-28(a). RETENTION: Date of separation + 5 years.

Retention Note: If applicant screening or hiring decisions are based on resumes, with only successful or interviewed candidates completing employment applications, then resumes of persons not hired must be kept for the same period as employment applications. If resumes are supplemental to employment application forms, they need only be retained as long as administratively valuable.

1050-15 EMPLOYMENT CONTRACT/COLLECTIVE BARGAINING RECORDS

a) Contracts and agreements, including collective bargaining agreements, between a local government and an employee or a group of employees, including written acceptances of such contracts. RETENTION: Last effective date of contract + 4 years.

b) Records relating to the negotiation of collective bargaining agreements or similar group contracts, including reports; correspondence; mediation or arbitration agreements; the proceedings, findings, and awards of arbitration boards; and similar records. RETENTION: Last effective date of contract + 4 years or, if no agreement or contract results, 4 years.

1050-16 EQUAL EMPLOYMENT OPPORTUNITY RECORDS AND REPORTS

a) Reports, analyses, or statistical data compiled from source documentation used to complete EEO reports. RETENTION: 3 years. [By regulation - 29 CFR 1602.30, 1602.39, and 1602.48.]

b) EE0-1, EE0-4, EE0-5, and EE0-6 reports. RETENTION: 3 years. [By regulation - 29 CFR 1602.32, 1602.41; and 1602.50.]

c) Case files relating to discrimination complaints, including complaints, legal and investigative documents, exhibits, related correspondence, withdrawal notices, and decisions or judgments. RETENTION: Resolution of case + 3 years.

1050-17 EQUAL PAY RECORDS - Reports, studies, aggregated or summarized data, and similar documentation compiled to monitor and demonstrate compliance with the Equal Pay Act. RETENTION: 2 years. [By regulation - 29 CFR 1620.32(c).]

FIGURE 1: 13 TAC §7.125(b)(1)

1050-18 **FIDELITY BONDS.** RETENTION: Effective life of bond + 5 years.

Retention Note: Does not include the Official Bond Record maintained by county clerks, which must be retained permanently.

1050-19 **FINGERPRINT CARDS.** RETENTION: Date of separation + 5 years.

Retention Note: If fingerprint cards are created for all applicants for a position, those of persons not hired must be retained 2 years under item number 1050-14.

1050-20 **GRIEVANCE RECORDS** - Records relating to the review of employee grievances against personnel policies, working conditions, etc. RETENTION: 2 years.

Retention Note: Do not confuse these records with those involving EEC complaints [see item number 1050-16(c)].

1050-21 **JOB EVALUATIONS (PERFORMANCE APPRAISALS)**

a) Evaluations of public school teachers, subject to the career ladder system, for the 1983-84 school year and subsequent years only. RETENTION: PERMANENT.

b) Evaluations of all other local government employees. RETENTION: Until superseded + 2 years. [By regulation - 29 CFR 1620.32(c).]

1050-22 **MEDICAL AND EXPOSURE REPORTS**

a) Health or physical examination reports or certificates of all job applicants if physical condition is a factor in hiring decisions, including the promotion, transfer or selection for training of current personnel. RETENTION: 2 years. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

b) Health or physical examination reports or certificates of employees for whom periodic monitoring of health or fitness is required.

* 1) For employees exposed in the course of their work to toxic substances, harmful physical agents, or bloodborne pathogens. RETENTION: Date of separation + 30 years. [By regulation - 29 CFR 1910.20(d)(1)(i) and 1910-1030(h)(1)(iv).]

2) For all other employees. RETENTION: Until superseded + 2 years.

c) Environmental, biological, and material safety monitoring reports concerning toxic substances and harmful physical agents in the workplace, including analyses derived from such reports. RETENTION: 30 years. [By regulation - 29 CFR 1910.20(d)(1)(ii).]

1050-23 **OATHS OF OFFICE.** RETENTION: Until superseded + 5 years; or, 5 years after leaving position for which oath required, whichever applicable.

1050-24 **PERSONNEL ACTION OR INFORMATION NOTICES** - Documents used by personnel officers to create or change information in the personnel records of individual employees concerning hiring, termination, transfer, pay grade, position or job title, leaves of absence, name changes, and similar personnel actions *except* those noted elsewhere in this part. RETENTION: 2 years. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

1050-25 **PERSONNEL STUDIES AND SURVEYS** - Studies, statistical reports, surveys, cost analyses and projections, and similar records, *except* those noted elsewhere in this part, on any aspect of the personnel management or administration of a local government. RETENTION: 3 years.
3 years.

Retention Note: Review before disposal; some documents may merit permanent retention for historical reasons.

1050-26 POSITION DESCRIPTION, CLASSIFICATION, AND STAFF MONITORING RECORDS

- a) Job descriptions, including any associated task or skill statements. RETENTION: Until superseded or position abolished + 4 years. [By regulation - 40 TAC 301.6(i).]
- b) Documentation concerning the development and analysis of job descriptions and classification systems, including survey, review and audit reports; classification standards and guidelines; selection criteria, determination of classification appeals, etc., as follows:
 - 1) Documents linked to a specific position. RETENTION: Dispose with job description under (a).
 - 2) Survey, audit, or other reports issued on a regular basis. RETENTION: Until superseded + 4 years.
 - 3) Other documentation not included in (b)(1) or (b)(2). RETENTION: PERMANENT.
- c) Position staffing and vacancy reports. RETENTION: Until superseded. (Exempt from destruction request requirement)
- d) Personnel requisitions. RETENTION: 2 years.

1050-27 REDUCTION IN FORCE PLANS (including any related implementation documentation). RETENTION: Until superseded, or if implemented, 2 years from date of last RIF action under the plan.

1050-28 TRAINING AND EDUCATIONAL ATTAINMENT RECORDS (for other records relating to aptitude or skills tests *required* of job applicants or of current personnel to qualify for promotion or transfer see item number 1050-02).

- a) Certificates of completion, transcripts, test scores, or similar records documenting the training, testing, or continuing education achievements of an employee if such training or testing is required for the position held or if the educational or skill attainment or enhancement affects or could affect career advancement in the local government or, in the case of licensed or certified personnel (e.g., school professionals, firefighters, police officers, health care professionals), in other governments or the private sector. RETENTION: Date of separation + 5 years.

Retention Note: If information concerning training or testing (e.g., test scores) is transferred to an Employee Service Record (item number 1050-12), the document from which the information is taken need be retained for only 2 years.

- b) Records documenting the planning, development, implementation, administration and evaluation of in-house training programs. RETENTION: 3 years.
- c) Training manuals, syllabuses, course outlines, and similar training aids used in in-house training programs. RETENTION: Until superseded. (Exempt from destruction request requirement)
- d) Skill or achievement measurement records of a training group or class as a whole (e.g., rosters with scores). RETENTION: 2 years.

Retention Note: If the only information documenting the in-house training of an employee of the types described in (a) is contained in the measurement records of a group or class as a whole, the group records must be retained for the date of separation + 5 years for all employees included in the group records.

1050-29 UNEMPLOYMENT COMPENSATION CLAIMS FILES - Unemployment claims, pertinent correspondence, and similar records documenting unemployment compensation cases. RETENTION: 5 years.

1050-30 VERIFICATION OF EMPLOYMENT ELIGIBILITY (INS Form I-9). RETENTION: 3 years from hire or 1 year after separation, whichever later. [By regulation - 8 CFR 474a.2(b)(2)(i)(A) and (c)(2).]

Retention Note: If a former employee is rehired and an INS Form I-9 is still on file for the employee, the 3 year retention period dates from date of first hire.

FIGURE 1: 13 TAC §7.125(b)(1)

1050-31 **WORK SCHEDULES** - Work, duty, shift, crew, or case schedules, rosters, or assignments *except* work schedules includable in item number 1050-56. RETENTION: 1 year. (Exempt from destruction request requirement)

1050-32 **WORKERS COMPENSATION CLAIM FILES** - Initial and supplemental reports of accidents to or job-related illnesses of employees and documentation relating to any subsequent filing of claims by employees. RETENTION: 5 years. [By regulation - 29 CFR 1904.06 for accident and illness reports.]

1050-33 **FINANCIAL DISCLOSURE STATEMENTS** - Financial disclosure statements of officers and/or employees of a local government. RETENTION: 2 years.

Retention Note: For campaign contribution and expenditure statements see item number 3125-01 in Local Schedule EL (Records of Elections and Voter Registration).

SECTION 3-2: PAYROLL RECORDS

Retention Note: OTHER ACCOUNTING RECORDS - This section supplements Section 2-2 and schedules financial and accounting records found in most local governments specific to the disbursement of payroll. If a payroll-related record is not scheduled in this section, use Section 2-2 for the comparable record; e.g., payroll fund reconciliations should be retained for FE + 3 years (or FE + 7 years in school districts) under the retention for Banking Records (see item number 1025-28).

1050-50 **DEDUCTION AUTHORIZATIONS** - Documentation used to start, modify, or stop all voluntary or required deductions from payroll, including orders of garnishment or other court-ordered attachments. RETENTION: 4 years after separation or 4 years after amendment, expiration, or termination of authorization, whichever sooner.

1050-51 **DIRECT DEPOSIT APPLICATIONS/AUTHORIZATIONS**. RETENTION: Until superseded. (Exempt from destruction request requirement)

1050-52 EARNINGS AND DEDUCTION RECORDS

a) A record containing the following payroll information on each employee: name, last known address and social security number; amount of wages paid to the employee for each payroll period, including all deductions, and date of payment. RETENTION: Retention of any one of the following records for 7 years by school districts or 4 years by other governments will satisfy the retention requirement: [By regulation - See Local Schedule SD for school districts; 20 CFR 404.1225(b)(3) and 40 TAC 301.6(a) and (i) for other governments.]

1) Individual employee earnings card or record that shows earnings and deductions for each pay period.

2) Master payroll register which shows earnings and deductions for each pay period.

b) A record containing the following minimum pension and deferred compensation information on each employee: name, date of birth, social security number, and amount of pension and deferred compensation deductions. RETENTION: PERMANENT retention of any one of the following will satisfy the retention requirement:

1) Individual employee earnings card or record as in (a)(1).

2) Employee Service Record (see item number 1050-12) if it contains the prescribed pension and deferred compensation deduction data.

3) Master payroll register, or the final year-to-date register of each calendar year, if the register shows *all* persons employed during the year from whose wages pension and deferred compensation deductions were made.

4) Pension and deferred compensation deduction register, or the final year-to-date pension deduction register of each calendar year, if the register lists *all* persons employed during the year from whose wages pension and deferred compensation deductions were made.

FIGURE 1: 13 TAC §7.125(b)(1)

- 5) Copies of annual or other periodic statements furnished to each employee detailing the deductions and contributions to a pension or deferred compensation plan during the past year or period.
- c) Master payroll register, including year-to-date registers, *if not used* to satisfy either of the retention requirements set in (a) or (b). RETENTION: FE + 3 years.
- d) Subsidiary payroll registers, *if not used* to satisfy either of the retention requirements set in (a) or (b).
- 1) If data contained in the subsidiary payroll register *is not* contained in the master payroll register. RETENTION: FE + 3 years.
- 2) If data contained in the subsidiary payroll register *is* contained in the master payroll register. RETENTION: AV. (Exempt from destruction request requirement)
- e) Copies of annual or other periodic statements furnished to each employee detailing the deductions and contributions to a pension or deferred compensation plan during the past year or period, *if not used* to satisfy the retention requirement set in (b). RETENTION: 2 years.
- f) Payroll adjustment records, including transaction registers, authorizations, and similar records authorizing and detailing adjustments to payroll records because of overpayment, underpayment, etc. RETENTION: FE + 7 years for school districts; + 3 years for other governments.

1050-53 FEDERAL AND STATE TAX FORMS AND REPORTS

- a) Forms used to determine withholding from wages and salaries for payroll tax purposes. RETENTION: 4 years after separation or 4 years after form amended, whichever sooner. [By regulation - 20 CFR 404.1225(b)(3), 26 CFR 31.6001-1(e)(2) for federal forms and by authority of this schedule for any state forms.]
- b) Forms and reports used to report the collection, distribution, deposit, and transmittal of payroll or unemployment taxes. RETENTION: 4 years after tax due date or date tax paid, whichever later. [By regulation - 20 CFR 404.1225(b)(3), 26 CFR 31.6001-1(e)(2) for federal forms and by authority of this schedule for state forms.]

1050-54 LEAVE RECORDS

- a) A record containing a record of the unused accumulated sick leave of each employee *if* (1) all or a percentage of accumulated sick leave is used to calculate length of service and/or (2) accumulated sick leave is creditable to an employee if rehired. RETENTION: PERMANENT retention of any one of the following will satisfy the retention requirement:
- 1) Individual employee earnings card or record as described in item number 1050-52(a) if it also contains accumulated sick leave data.
- 2) Employee Service Record (see item number 1050-12) if it contains the accumulated sick leave data prescribed.
- 3) Copy of the final time summary or leave status report, as noted in (d), of each separated employee.
- b) Requests and authorizations for vacation, compensatory, sick and other types of authorized leave. RETENTION: FE + 3 years.
- c) Leave or hours-to-date registers. RETENTION: FE + 3 years.
- d) Copies of periodic time summary or leave status reports furnished to each employee containing information on vacation, sick, compensatory, or other leave earned and used, including the final report of separated employees *if they are not used* to satisfy the retention requirement set in (a). RETENTION: 2 years.

1050-55 PAYROLL ACTION OR INFORMATION NOTICES - Documents used by payroll officers to create or change information in the payroll records of individual employees *except* deduction authorizations (see item number 1050-50) and federal tax forms [see item number 1050-53(a)].

a) Documents concerning hiring, termination, transfer, pay grade, position or job title, name changes, etc. RETENTION: 2 years. [By regulation - 29 CFR 1602.31, 1602.40, and 1602.49.]

b) Documents concerning adjustments to payroll and leave status. RETENTION: FE + 3 years.

1050-56 TIME AND ATTENDANCE REPORTS - Time cards or sheets, including work schedules and documentation evidencing adherence to or deviation from normal hours for those employees working on fixed schedules. RETENTION: 4 years. [By regulation - 40 TAC 301.6(a) and (i).]

1050-57 TIME CHANGE RECORDS - Requests and authorizations for overtime, time trading, and other actions that affect normal work time *except* leave requests [see item number 1050-54(c)]. RETENTION: 2 years.

1050-58 REQUESTS AND AUTHORIZATIONS TO ENGAGE IN REIMBURSABLE ACTIVITIES - Requests and authorizations for travel; participation in educational programs, workshops, or college classes; or for other *bona fide* work-related activities in which the expenses of an employee are defrayed or reimbursed. RETENTION: FE + 7 years for school districts; + 3 years for other governments.

1050-59 WAGE AND SALARY RATE TABLES

a) If wage or salary rate for each position listed on an Employee Service Record (see item number 1050-12) is expressed in dollars. RETENTION: 2 years after last effective date. [By regulation - 29 CFR 516.6(a)(2).]

b) If wage or salary rate for each position listed on an Employee Service Record (see item number 1050-12) is indicated by grade or step number only. RETENTION: PERMANENT.

PART 4: SUPPORT SERVICES RECORDS

SECTION 4-1: PURCHASING RECORDS

Retention Notes: RELATIONSHIP WITH ACCOUNTS PAYABLE RECORDS - In a local government in which purchasing and accounts payable records (see item number 1025-26) are maintained by the same individual or department, duplicate copies of a record need not be created and/or retained to satisfy the retention requirements of this section if the record is used in documenting both the ordering and procurement of and payment for goods and services. In such instances, retention requirements for accounts payable records prevail over those noted in this section.

1075-01 BIDS AND BID DOCUMENTATION

* a) Successful bids and requests for proposals, including invitations to bid, bid bonds and affidavits, bid sheets, and similar supporting documentation. RETENTION: FE of award + 7 years for school districts; + 3 years for other governments.

Retention Note: If a formal written contract is the result of a successful bid or request for proposal, the successful bid or request for proposal and its supporting documentation must be retained for the same period as the contract. See item number 1000-25.

b) Unsuccessful bids. RETENTION: 2 years.

c) Informal bid records, such a requests for quotations or estimates, for the procurement of goods or services for which state law or local policy does not require the formal letting of bids. RETENTION: 1 year. (Exempt from destruction request requirement)

1075-02 INVENTORY RECORDS (PARTS AND SUPPLIES). RETENTION: 1 year. (Exempt from destruction request requirement)

1075-03 PURCHASE ORDER AND RECEIPT RECORDS

- a) Purchase orders, requisitions, and receiving reports. RETENTION: FE + 7 years for school districts; + 3 years for other governments.
- b) Purchasing log, register, or similar record providing a chronological record of purchase orders issued, orders received, and similar data on procurement status. RETENTION: FE + 3 years.
- c) Packing slips and order acknowledgments. RETENTION: AV. (Exempt from destruction request requirement)
- d) Vendor and commodity lists. RETENTION: Until superseded. (Exempt from destruction request requirement)

SECTION 4-2: FACILITY, VEHICLE, AND EQUIPMENT MANAGEMENT RECORDS

1075-15 ACCIDENT AND DAMAGE REPORTS (PROPERTY) - Reports of accidents or damage to facilities, vehicles, or equipment if no personal injury is involved. RETENTION: 3 years.

Retention Note: For accident reports involving personal injury see item numbers 1000-20 and 1050-32.

1075-16 CONSTRUCTION PROJECT FILES - Records concerning the planning, design, construction, conversion, or modernization of local government-owned facilities, structures, and systems, including feasibility, screening, and implementation studies; topographical and soil surveys and reports; architectural and engineering drawings, elevations, profiles, blueprints, and as-builts; inspection and investigative reports; laboratory test reports; environmental impact statements; construction contracts and bonds; correspondence; and similar documentation. RETENTION: PERMANENT, but see retention note.

Retention Note: Files relating to the construction of prefabricated storage sheds, bus shelters, parking lot kiosks, non-structural recreational facilities such as baseball diamonds and tennis courts, and similar structures and facilities need be retained for only 10 years after completion of the project.

1075-17 LOST AND STOLEN PROPERTY REPORTS. RETENTION: FE + 3 years.

1075-18 MAINTENANCE, REPAIR, AND INSPECTION RECORDS - Records documenting the maintenance, repair, and inspection of facilities, vehicles, and equipment.

Retention Note: This record group schedules records of maintenance and repair to general-purpose vehicles, office equipment, and office facilities. For retention requirements for the maintenance and repair of specialized vehicles (e.g., police cars, fire trucks, school buses), equipment (e.g., airport runway beacons, traffic lights), or facilities (e.g., wastewater treatment plants) see other commission schedules.

a) Vehicles and equipment.

- 1) Routine inspection records. RETENTION: 1 year. (Exempt from destruction request requirement)
- 2) Maintenance and repair records. RETENTION: Life of asset.

Retention Note: If a vehicle is junked as the result of an accident, the maintenance and repair records for the vehicle must be retained for LA + 3 years.

b) Facilities.

- 1) Routine cleaning, janitorial, and inspection work. RETENTION: 1 year. (Exempt from destruction request requirement)
- 2) All other facility maintenance, repair and inspection records (including those relating to plumbing, electrical, fire suppression, and other infrastructural systems). RETENTION: 3 years.

1075-19 SERVICE REQUESTS/WORK ORDERS (for repairs and maintenance to facilities, vehicles, or equipment). **RETENTION:** 2 years.

Retention Note: If work orders serve as the only form of record documenting repairs to vehicles or equipment [see item number 1075-18(a)] they must be retained for the life of the vehicle or equipment.

1075-20 USAGE REPORTS - Reports of usage of facilities, vehicles, and equipment.

a) Any type of usage report (e.g., mileage, fuel consumption, copies run) if such reports are the basis for allocating costs, for determining payment under rental or lease agreements, etc. **RETENTION:** FE + 7 years for school districts; + 3 years for other governments.

b) Reservation logs or similar records relating to the use of facilities such as meeting rooms, auditoriums, etc. by the public or other governmental agencies. **RETENTION:** 2 years.

c) Usage reports compiled for purposes other than those noted in (a) or (b). **RETENTION:** 1 year. (Exempt from destruction request requirement)

1075-21 VEHICLE ASSIGNMENT RECORDS - Assignment logs, authorizations, and similar records relating to the assignment and use of government-owned vehicles by employees. **RETENTION:** 2 year.

1075-22 VISITOR CONTROL REGISTERS - Logs, registers, or similar records documenting visitors to limited access or restricted areas. **RETENTION:** 3 years.

1075-23 WARRANTIES (for vehicles and equipment). **RETENTION:** Expiration of warranty + 1 year. (Exempt from destruction request requirement)

SECTION 4-3: COMMUNICATIONS RECORDS

1075-40 POSTAL AND DELIVERY SERVICE RECORDS

a) Meter and permit usage records. **RETENTION:** 1 year. (Exempt from destruction request requirement)

b) Registered, certified, insured, and special delivery mail receipts and similar records of transmittal by express or delivery companies. **RETENTION:** 1 year.

1075-41 TELEPHONE LOGS OR ACTIVITY REPORTS - Registers or logs of telephone calls made and similar telephone activity reports.

a) If the log, report, or similar record is used for cost allocation purposes. **RETENTION:** FE + 7 years for school districts; + 3 years for other governments.

b) If the log, report, or similar record is used for internal control purposes other than cost allocation. **RETENTION:** 2 years.

*** SECTION 4-4: WORKPLACE SAFETY RECORDS**

*** 5750-01 BLOODBORNE PATHOGEN TRAINING RECORDS** - Records of training given employees with exposure to bloodborne pathogens showing the dates of training sessions, contents or summaries of the sessions, names and job titles of those who received training, and names and qualifications of instructors. **RETENTION:** 3 years. [By regulation - 29 CFR 1910.1030(h)(2)(ii).]

*** 5750-02 FACILITY CHEMICAL LISTS** - Copies of tier two forms containing information of hazardous chemicals present in local government facilities submitted to the fire chief of the fire department having jurisdiction over the facilities and to the Texas Department of Health as required by Health and Safety Code, Section 506.006. **RETENTION:** Until superseded. (Exempt from destruction request requirement)

FIGURE 1: 13 TAC §7.125(b)(1)

* 5750-03 **HAZARD COMMUNICATION PLANS** - Plans describing how criteria of the Hazard Communications Act (Chapter 502, Health and Safety Code) with regard to the education and training of employees will be met. RETENTION: Until superseded + 5 years. [By law - Health and Safety Code, Section 502.009(g).]

* 5750-04 **HAZARDOUS MATERIALS TRAINING RECORDS** - Records of training given employees in a hazard communications program showing the date of each training session, subjects covered during the session, rosters of employees who attended, and the names of instructors. RETENTION: 5 years. [By law - Health and Safety Code, Section 502.009(g).]

* 5750-05 **MATERIAL SAFETY DATA SHEETS (MSDS)** - Material safety data sheets (MSDS) supplied to local government employers by manufacturers or distributors of hazardous chemicals. RETENTION: AV after receipt of updated sheet or the hazardous chemical is no longer present in the local government, as applicable. (Exempt from destruction request requirement)

* 5750-06 **WORKPLACE CHEMICAL LISTS** - Lists of hazardous chemicals, including superseded lists, compiled and maintained by local governments in accordance with the Health and Safety Code, Section 552.005. RETENTION: 30 years. [By law - Health and Safety Code, Section 502.005(d).]

Retention Note: State law (Health and Safety Code, Section 502.005(d)) provides that if a local government is dissolved (e.g., a municipality through disincorporation), it shall send the workplace chemical lists in its possession to the director of the Texas Department of Health.

* PART 5: ELECTRONIC DATA PROCESSING RECORDS

* *Retention Notes: (a) This part establishes retention periods for records essential to the creation, maintenance, and use of electronic records (information recorded in a form for computer processing including data, graphics, digital images, multi-media records, etc.) and records related to computer operations/technical support not covered elsewhere in this schedule. Records in this part may be maintained on whatever medium is appropriate including electronic (on-line, magnetic tape, optical disk, CD-ROM, etc.), paper, and microform.*

(b) Other types of records may be maintained electronically that are listed elsewhere in this schedule, such as administrative, fiscal, personnel, and support services records, or in other specialized schedules adopted by the Texas State Library and Archives Commission, such as Local Schedule PS (Records of Public Safety Agencies), Local Schedule HR (Records of Public Health Agencies), etc. The retention period for those electronic records will be as specified under the appropriate records series item number according to the function of the information. For example, if an electronic system is used to maintain encumbrance and expenditure reports, the retention period for these electronic records would be 2 years as specified in item number 1025-04(d). Retention requirements apply to records maintained on all types of electronic systems including mainframe, minicomputer, microcomputer, local-area-network based systems, etc.

c) Administrative rules of the Texas State Library and Archives Commission (13 TAC 7.71-7.79) require that retention procedures for electronic records with an approved retention of 10 years or more must include provisions for scheduling the disposition of the electronic records as well as related software, documentation, and indexes; and for regular recopying, reformatting, and other necessary maintenance or conversion activities to ensure the retention and stability of electronic records until the expiration of their retention periods.

d) If automated information is copied to paper or microform to create the official record, the electronic files do not have to be maintained for the full retention period of the record. The added value of electronic files for facilitating retrieval, making queries, providing for automated audit trails, etc., should be carefully reviewed prior to destruction of the electronic files even though there is an official record in another medium.

SECTION 5-1: RECORDS OF AUTOMATED APPLICATIONS

* 5800-01 **AUDIT TRAIL RECORDS** - Files needed for electronic data audits such as files or reports showing transactions accepted, rejected, suspended, and/or processed; history files/tapes; records of on-line updates to application files or security logs. RETENTION: Until audit requirements met.

* 5800-02 **FINDING AIDS, INDEXES, AND TRACKING SYSTEMS** - Automated indexes, lists, registers, and other finding aids used to provide access to the hard copy and electronic records. **RETENTION:** Until the related hard copy or electronic records have been destroyed. [By regulation - 13 TAC 7.77(a) for electronic records with an approved retention of 10 years or more, and by authority of this schedule for all others.]

* 5800-03 **HARDWARE DOCUMENTATION** - Records documenting operational and maintenance requirements of computer hardware such as operating manuals, hardware/operating system requirements, hardware configurations, and equipment control systems. **RETENTION:** Until electronic records are transferred to and made usable in a new hardware environment or there are no electronic records being retained to meet an approved retention period that require the hardware to be retrieved and read. [By regulation - 13 TAC 7.77(a) for electronic records with an approved retention of 10 years or more, and by authority of this schedule for all others.]

Retention Note: If the retention period of electronic records is extended to meet requirements of an audit, litigation, open records action, etc. any hardware documentation required to retrieve and read the records must also be retained for the same period.

* 5800-04 **MASTER FILES** - Relatively long-lived computer files containing organized and consistent sets of complete and accurate electronic records. **RETENTION:** Until completion of 3rd system backup cycle except for: a) Electronic file which replaces or serves in lieu of a textual record - Follow the retention period approved for the equivalent textual record; b) Electronic file containing fiscal information, for which an equivalent textual record exists, but which is also subject to audit - Dispose of after all audit questions have been resolved; c) Output data file extracted from system solely to distribute data to individuals or program units for reference and use or to produce printed reports or other publications - Dispose of after data is distributed or when no longer needed to create publication. [By regulation - 13 TAC 7.77(a) for electronic records with an approved retention of 10 years or more, and by authority of this schedule for all others.]

Retention Note: The need to retain "snapshots" of some continuing master files should be carefully evaluated. For example, if a Geographic Information System has only current mapping information, historical versions of zoning changes would not be available even though these records have long-term legal and historical value.

* 5800-05 **PROCESSING FILES** - Electronic files used to produce a master file, including, but not limited to, work files, maintenance and test files, print files, and intermediate input/output records. **RETENTION:** Until completion of 3rd system backup cycle except for: a) Routine or benchmark file used to test system performance - AV and exempt from destruction notice requirement; b) File which facilitates processing of a particular job or system run, but which does not add to, delete from, or substantially modify information in a master file - AV and exempt from destruction notice requirement.

* 5800-06 **SOFTWARE PROGRAMS** - Automated software applications and operating system files including job control language, program listing/source code, etc. **RETENTION:** Until electronic records are transferred to and made usable in a new software environment or there are no electronic records being retained to meet an approved retention period that require the software to be retrieved and read. [By regulation - 13 TAC 7.77(a) for electronic records with an approved retention of 10 years or more, and by authority of this schedule for all others.]

Retention Note: If the retention period of electronic records is extended to meet requirements of an audit, litigation, open records action, etc. any software program required to retrieve and read the records must also be retained for the same period.

* 5800-07 **SOURCE DOCUMENTS FOR ELECTRONIC RECORDS**- Documents used for the creation of electronic records by data entry or electronic imaging. **RETENTION:** Follow the retention period approved for the type of record but see the retention notes. [By law - Local Government Code, Section 205.008.]

Retention Notes: a) For records with an approved retention period of 10 years or more, the source document may be destroyed or returned to the person who filed it after the creation of the electronic record if an electronic storage authorization has been approved based on certification of compliance with the Standards and Procedures for Electronic Records of Local Governments (13 TAC Chapter 7).

b) For records with an approved retention of less than 10 years, the source document may be destroyed prior to the expiration of the retention period for the source document in a records retention schedule issued by the commission if the magnetic tape, optical disk, or similar medium and hardware and software necessary to provide access to local government record data on the medium are retained for the retention period given in the schedule.

* **5800-08 TECHNICAL DOCUMENTATION** - Records adequate to specify all technical characteristics necessary for reading or processing of electronic records and their timely, authorized disposition including documentation describing how a system operates and necessary for using the system such as user guides, system or sub-system definitions, system specifications, input and output specifications, and system flow charts; program descriptions and documentation such as program flowcharts, program maintenance logs, change notices, and other records that document modifications to computer programs; and data documentation necessary to access, retrieve, manipulate and interpret data in an automated system such as a data element dictionary, file layout, code book or table, and other records that explain the meaning, purpose, structure, logical relationships, and origin of the data elements. **RETENTION:** Until electronic records are transferred to and made usable in a new hardware or software environment with new documentation or there are no electronic records being retained to meet an approved retention period that require the documentation to be retrieved and read. [By regulation - 13 TAC 7.77(a) for electronic records with an approved retention of 10 years or more, and by authority of this schedule for all others.]

Retention Note: If the retention period of electronic records is extended to meet requirements of an audit, litigation, open records action, etc. any technical documentation required to retrieve and read the records must also be retained for the same period.

SECTION 5-2: COMPUTER OPERATIONS AND TECHNICAL SUPPORT RECORDS

Retention Note: Not all of the following types of records will be created with all electronic systems. A local government should determine which records are needed according to the type of computer operation in use (mainframe, individual personal computers, networked personal computers, etc.). The records in this section may be maintained electronically (on-line, magnetic tape, optical disk, etc.) or on another medium such as paper or microform provided the approved retention period is met.

* **5825-01 ACCESS SECURITY RECORDS** - Records created for security purposes to control or monitor individual access to a system and its data, including but not limited to user account records, security login information, and password files. **RETENTION:** Until the individual no longer has access to the system or audit requirements for the records modified by the individual have been met, whichever later.

* **5825-02 BATCH DATA ENTRY CONTROL RECORDS** - Forms and logs used to reconcile batches submitted for processing against batches received and processed. **RETENTION:** AV. (Exempt from destruction request requirement)

* **5825-03 CHARGEBACK RECORDS TO DATA PROCESSING SERVICES USERS** - Records used to document, calculate costs and bill program units for computer usage and data processing services. These records are also used for cost recovery, budgeting, or administrative purposes. **RETENTION:** FE + 7 for school districts; FE + 3 years for other governments.

* **5825-04 COMPUTER JOB SCHEDULES AND REPORTS** - Schedules or similar records showing computer jobs to be run and other reports by computer operators or programmers of work performed. **RETENTION:** 90 days. (Exempt from destruction request requirement)

* **5825-05 DATA PROCESSING POLICIES AND PROCEDURES** - Records of data processing policies and procedures including those covering access and security, systems development, data retention and disposition, and data ownership. Records of procedures for data entry, operation of computer equipment, production control, system backup, compliance with electronic records rules, etc. Does not include technical documentation of procedures necessary for reading or processing of electronic records (see item number 5800-08). **RETENTION:** 5 years after policy or procedure is withdrawn, revised, updated, or superseded.

Retention Note: Review before disposal; some documentation of this type may merit permanent or long-term retention for historical or legal reasons.

* **5825-06 DATA PROCESSING PLANNING RECORDS** - Reports, studies, analyses, projections, and similar records concerning the creation, development, or modification of data processing systems and services *except* for disaster recovery plans (see item number 5825-07). **RETENTION:** 5 years.

FIGURE 1: 13 TAC §7.125(b)(1)

Retention Note: Before disposal appraise for continuing administrative usefulness and historical value. Those records relating to major development projects and other records considered of historical value should be retained permanently.

- * 5825-07 **DISASTER PREPAREDNESS AND RECOVERY PLANS** - Records related to the protection and re-establishment of data processing services and equipment in case of a disaster. RETENTION: Until superseded. (Exempt from destruction request requirement)
- * 5825-08 **ELECTRONIC MEDIA LIBRARY SYSTEM FILES** - Records used to control the location, maintenance, and disposition of media in an electronic media library *except* for records destruction documentation that is maintained permanently (see item number 1000-40). RETENTION: Until related records or media are destroyed or withdrawn from the library.
- * 5825-09 **INPUT DOCUMENTS** - Copies of records or forms designed and used solely for data input and control when the data processing unit provides centralized data input services and original records are maintained by the program unit *except* for data entry documents noted elsewhere in this schedule or other schedules adopted by the commission. RETENTION: Until all data has been entered into the system and, if required, verified. (Exempt from destruction request requirement)
- * 5825-10 **NETWORK CIRCUITS INVENTORY** - Records containing information on network circuits used by the government including circuit number, vendor, type of connection, terminal series, software, contact person, and other relevant information about the circuit. RETENTION: Until superseded. (Exempt from destruction request requirement)
- * 5825-11 **NETWORK IMPLEMENTATION FILES** - Records used to implement a computer network including reports, diagrams of network, and wiring schematics. RETENTION: Until superseded. (Exempt from destruction request requirement)
- * 5825-12 **OPERATING SYSTEM AND HARDWARE CONVERSION PLANS** - Records relating to the replacement of equipment or computer operating systems not included elsewhere in this schedule. RETENTION: 1 year after completion of conversion.
- * 5825-13 **OUTPUT RECORDS FOR COMPUTER PRODUCTION** - Reports showing transactions that were accepted, rejected, suspended, and/or processed. RETENTION: AV. (Exempt from destruction request requirement)
- * 5825-14 **QUALITY ASSURANCE RECORDS** - Information verifying the quality of system, hardware, or software operations including records of errors or failures and the loss of data resulting from such failures, documentation of abnormal termination and of error free processing, checks of changes put into production, transaction histories, and other records needed as an audit trail to evaluate data accuracy. RETENTION: Until no longer needed as an audit trail for records modified.
- * 5825-15 **PROJECT FILES** - Records created and used in the development, redesign, or modification of automated systems or applications.

Retention Note: Does not include purchasing records for computer software or hardware such as individual personal computers, which are covered by Part 4 of this schedule.

a) Project management records, design documentation, feasibility studies, justifications, user requirements, etc. RETENTION: 3 years after completion of project.

b) Routine status reports, memos, and correspondence. RETENTION: AV. (Exempt from destruction request requirement)

- * 5825-16 **SYSTEM ACTIVITY MONITORING RECORDS** - Electronic files or automated logs created to monitor computer systems such as print spool logs, console logs, tape activity logs, etc. RETENTION: AV. (Exempt from destruction request requirement)
- * 5825-17 **TRAINING COURSE INFORMATION** - Memoranda, flyers, catalogues, registration forms, rosters, and other records documenting training courses provided users of electronic records systems. RETENTION: AV. (Exempt from destruction request requirement)



TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

LOCAL SCHEDULE PW

RETENTION SCHEDULE FOR RECORDS OF PUBLIC WORKS AND SERVICES

This schedule establishes mandatory minimum retention periods for the records listed. No local government office may dispose of a record listed in this schedule prior to the expiration of its retention period. A records control schedule of a local government may not set a retention period for a record that is less than that established for the record on this schedule. The originals of records listed in this schedule may be disposed of prior to the expiration of the stated minimum retention period if they have been microfilmed or electronically stored pursuant to the provisions of the Local Government Code, Chapter 204 or Chapter 205, as applicable, and rules of the Texas State Library and Archives Commission adopted under authority of those chapters. Actual disposal of such records by a local government or an elective county office is subject to the policies and procedures of its records management program.

Destruction of local government records contrary to the provisions of the Local Government Records Act of 1989 and administrative rules adopted under its authority, including this schedule, is a Class A misdemeanor and, under certain circumstances, a third degree felony (Penal Code, Section 37.10). Anyone destroying local government records without legal authorization may also be subject to criminal penalties and fines under the Open Records Act (Government Code, Chapter 552).

INTRODUCTION

The Government Code, Section 441.158, provides that the Texas State Library and Archives Commission shall issue records retention schedules for each type of local government, including a schedule for records common to all types of local government. The law provides further that each schedule must state the retention period prescribed by federal or state law, rule of court, or regulation for a record for which a period is prescribed; and prescribe retention periods for all other records, which periods have the same effect as if prescribed by law after the records retention schedule is adopted as a rule of the commission.

Local Schedule PW sets mandatory minimum retention periods for records series commonly associated with various public works and public services activities carried out by local governments. If the retention period for a record is established in a federal or state law, rule of court, or regulation, a citation to the relevant provision is given; if no citation is given, the authority for the retention period is this schedule.

The retention period for a record applies to the record regardless of the medium in which it is maintained. Some records listed in this schedule are maintained electronically in many offices, but electronically stored data used to create in any manner a record or the functional equivalent of a record as described in this schedule must be retained, along with the hardware and software necessary to access the data, for the retention period assigned to the record, unless backup copies of the data generated from electronic storage are retained in paper or on microfilm for the retention period.

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Unless otherwise stated, the retention period for a record is in calendar years from the date of its creation. The retention period, again unless otherwise noted, applies only to an official record as distinct from convenience or working copies created for informational purposes. Where several copies are maintained, each local government should decide which shall be the official record and in which of its divisions or departments it will be maintained. Local governments in their records management programs should establish policies and procedures to provide for the systematic disposal of copies.

If a record described in this schedule is maintained in a bound volume of a type in which pages are not designed to be removed, the retention period, unless otherwise stated, dates from the date of last entry.

If two or more records listed in this schedule are maintained together by a local government and are not severable, the combined record must be retained for the length of time of the component with the longest retention period. A record whose minimum retention period on this schedule has not yet expired and is *less than permanent* may be disposed of if it has been so badly damaged by fire, water, or insect or rodent infestation as to render it unreadable, or if portions of the information in the record have been so thoroughly destroyed that remaining portions are unintelligible. If the retention period for the record is *permanent* on this schedule, authority to dispose of the damaged record must be obtained from the director and librarian of the Texas State Library. The Request for Authority to Destroy Unscheduled Records (Form SLR 501) should be used for this purpose.

Requests for Authority to Destroy Unscheduled Records (SLR 501), whose submission to the director and librarian of the Texas State Library is required by the Local Government Code, Section 203.045, need not be filed for records shown as exempt from the requirement.

Certain records listed in this schedule are assigned the retention period of AV (as long as administratively valuable). This retention period affords local governments the maximum amount of discretion in determining a specific retention period for the record described. Although AV may be used as a retention period on a records control schedule of a local government, it is in the best interests of any records management program that fixed retention periods be assigned for each records series. AV records tend to accumulate and go unmanaged.

ABBREVIATIONS USED IN THIS SCHEDULE

- AV - As long as administratively valuable
- CE - Calendar year end
- CFR - Code of Federal Regulations
- FE - Fiscal year end
- TAC - Texas Administrative Code

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PART 1: GENERAL RECORDS

Attention Note: This schedule establishes retention periods for records found in various public works and services departments of local governments or for records kept by certain local government officers (e.g., veterans service officers) or local governments (e.g., soil and water conservation districts). For other administrative, fiscal, personnel, or support service records that may be found in these departments or governments, see Local Schedule GR (Records Common to All Local Governments).

5200-01 PUBLIC WORKS AND SERVICES PLANNING STUDIES AND REPORTS - Feasibility studies, reports, analyses, projections, graphic material, and similar planning documents by outside consultants or in-house staff relating to comprehensive planning, capital improvements, land use and open space, economic development and outlook, neighborhood and housing renewal and renovation, regional and intergovernmental cooperation, transportation, traffic engineering, transit systems, airport operations, growth patterns, demographics, long range forecasts and projections, and other aspects of local government planning *not* listed elsewhere in this schedule.

a) Special planning studies or reports prepared by order or request of the governing body or considered by the governing body (as reflected in its minutes) or ordered or requested by a state or federal agency or a court.
RETENTION: PERMANENT.

b) All other planning reports or studies. RETENTION: 5 years.

Review before disposal; developed comprehensive and capital improvements plans and other records of this type may merit permanent or long term retention for administrative or historical reasons. See also item number 1000-39 in Local Schedule GR (Records Common to All Local Governments).

5200-02 SERVICE REQUESTS/WORK ORDERS - Service requests and work orders to be performed by public works and services personnel *except* for work orders noted elsewhere in this schedule. RETENTION: 2 years.

PART 2: PLANNING AND ZONING RECORDS

5225-01 ZONING/PLANNING BOARD CASE FILES - Staff reports, determinations and evaluations, correspondence, and comparable records concerning each planning, zoning, building code, or other public works-related case brought before local government zoning, planning, or development commissions or appeal bodies; or before other special or ad hoc committees constituted for similar purposes. RETENTION: Disposition of case + 5 years.

Retention Notes: a) The minutes of the various commissions noted above must be retained **PERMANENTLY** in accordance with item number 1000-03 in Local Schedule GR (Records Common to All Local Governments). In any action by these commissions involving real property, the minutes must sufficiently identify the property which the action affects. If the minutes do not sufficiently identify the property, documents referenced in the minutes that do provide such identification must be retained **PERMANENTLY**.

b) Review before disposal; some case files may merit permanent retention for historical reasons.

5225-02 ZONING MAPS. RETENTION: PERMANENT.

5225-03 ZONING PERMIT RECORDS

a) Applications for zoning permits or variances. RETENTION: 5 years.

b) Copies of zoning permits or variances or a log or other form of record evidencing their issuance, showing to whom the permit or variance was issued, the property to which it applies, and the zoning classification.
RETENTION: PERMANENT.

5225-04 **ZONING VIOLATIONS RECORDS** - Records relating to violations of local zoning ordinances, including documents verifying that the violation has ceased or been corrected.

a) Alleged, but unfounded. **RETENTION:** 1 year after determination that zoning ordinances have not been violated. (Exempt from destruction request requirement)

b) Violations. **RETENTION:** Verification of correction of violation + 3 years.

PART 3: BUILDING PERMIT AND INSPECTION RECORDS

5250-01 **BLUEPRINTS AND SPECIFICATIONS** - Blueprints and specifications submitted by building contractors or property owners when applying for building permits and as-builts submitted for issuance of certificates of occupancy.

a) For commercial and non-residential building permits or certificates of occupancy. **RETENTION:** Life of structure, *but see retention notes.*

Retention Notes: a) If submission of as-builts is required before the issuance of a certificate of occupancy, the retention period applies only to the as-builts, and previously submitted blueprints and specifications need be retained only as long as administratively valuable and are exempt from the destruction request requirement.

b) If a structure is remodeled, and new blueprints and specifications and/or as-builts are submitted [see retention note (a)], superseded documentation of the type described need be kept only as long as administratively valuable and is exempt from the destruction request requirement.

d) For records of the types described for buildings or structures owned by the local government that issues the building permit, see item number 1075-16 in Local Schedule GR (Records Common to all Local Governments).

c) Review before disposal; blueprints and/or as-builts of some structures may merit permanent retention for historical reasons.

b) For residential building permits or certificates of occupancy. **RETENTION:** AV. (Exempt from destruction request requirement)

c) For miscellaneous permits (see item number 5250-10). **RETENTION:** AV. (Exempt from destruction request requirement)

5250-02 **BUILDING CODE VIOLATIONS RECORDS** - Records relating to violations of local building codes or ordinances, including documents verifying that the violation has been corrected.

a) Alleged, but unfounded. **RETENTION:** 1 year after determination that building regulations have not been violated. (Exempt from destruction request requirement)

b) Violations. **RETENTION:** Verification of correction + 3 years.

5250-03 **BUILDING MASTER RECORD** - Master record of each commercial, non-residential, and residential structure detailing a history of permits issued for construction or alteration, certificates of occupancy issued, inspections carried out, code violations found, and similar information. **RETENTION:** PERMANENT.

5250-04 **BUILDING PERMIT APPLICATIONS** - Applications from property owners or contractors to erect new structures or to make alterations to existing structures.

a) Applications for which permit granted. **RETENTION:** 5 years; or, if property subject to issuance of certificate of occupancy, date of issuance of the certificate + 5 years.

FIGURE 2: 13 TAC §7.125(b)(2)

b) Applications for which permit not granted. RETENTION: 1 year. (Exempt from destruction request requirement)

5250-05 **BUILDING PERMIT LOGS** - Logs, registers, or similar records providing a listing of building permits and certificates of occupancy issued.

a) If a Building Master Record (5250-03) *is* maintained. RETENTION: AV. (Exempt from destruction request requirement)

b) If a Building Master Record (5250-03) *is not* maintained. RETENTION: PERMANENT.

5250-06 **BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY** - Copies of building permits and certificates of occupancy or record of their issuance.

a) Copies of issued building permits and certificates of occupancy if a Building Permit Log (5250-05b) or a Building Master Record (5250-03) *is not* maintained. RETENTION: PERMANENT.

b) Copies of issued building permits and certificates of occupancy if a Building Permit Log (5250-05b) or a Building Master Record (5250-03) *is* maintained. RETENTION: AV after entry of evidence of issuance in log or record. (Exempt from destruction request requirement)

5250-07 **BUILDING TRADES OCCUPATIONAL LICENSING RECORDS** - Applications, examinations, references, performance bonds, copies of licenses or permits or record of their issuance, and similar records relating to the issuance of occupational licenses to construction contractors and other members of the building trades, including electricians, plumbers, carpenters, welders, etc. RETENTION: Expiration, cancellation, revocation, or denial of the license + 3 years.

5250-08 **INSPECTION REPORTS** - Reports of inspections carried out with reference to new construction; alterations to existing structures; code violations; and other projects, activities, or situations requiring inspection by local ordinance, *excluding* those reports that are made part of any other record group noted elsewhere in this part. RETENTION: 3 years.

5250-09 **DEMOLITION RECORDS** - Records relating to the demolition and clearance of buildings deemed unfit for occupancy and condemned, including demolition orders, inspection reports, notices to property owners, and any related court documents. RETENTION: Date of demolition + 3 years.

5250-10 **MISCELLANEOUS APPLICATIONS AND PERMITS** - Applications for and copies of permits (or record of their issuance) involving sign installation, fencing, swimming pool construction, driveway construction, and for similar activities as might be required by local ordinance that are *not*, by ordinance or departmental policy, classified as building applications or permits under item numbers 5250-04 and 5250-06.

a) Granted permits. RETENTION: 5 years.

b) Denied permits. RETENTION: 1 year. (Exempt from destruction request requirement)

5250-11 **REPORTS OF BUILDING PERMITS ISSUED** - Monthly and annual reports prepared for the U. S. Bureau of the Census on the number of commercial and residential building starts and local public construction.

a) Annual. RETENTION: PERMANENT.

b) Monthly. RETENTION: 3 years.

PART 4: PUBLIC TRANSPORTATION AND ENGINEERING RECORDS

SECTION 4-1: ROAD AND STREET MAINTENANCE AND REPAIR RECORDS

Retention Note: For road and street construction records, see item number 1075-16 in Local Schedule GR (Records Common to All Local Governments).

5275-01 INSPECTION REPORTS - Reports of inspection of roads, streets, bridges, street lights, sidewalks, rights of way, etc.

- a) Roads, streets, street lights, sidewalks, rights of way, etc. RETENTION: 3 years.
- b) Bridges and overpasses. RETENTION: Life of structure.

5275-02 MAPS AND PLATS - Maps, plats, engineering and field notes, and profiles and cross-sections of roads, streets, rights of way, bridges, etc. RETENTION: PERMANENT.

5275-03 PERMITS - Applications for and copies of permits (or record of their issuance) for excavation and fill; alterations to roads, streets, sidewalks, and curbs; and for similar activities involving alteration of streets and rights of way.

- a) Granted applications and permits. RETENTION: 5 years.
- b) Denied applications and permits. RETENTION: 1 year. (Exempt from destruction request requirement)

5275-04 SERVICE AND REPAIR REQUESTS - Complaints from the public or from other local government departments on street hazards, potholes, other needed repairs on roads, streets, and rights of way and requests for traffic signs, lights, changes to traffic flow, etc. RETENTION: 2 years.

5275-05 STREET CLEANING RECORDS - Reports, logs, or similar records documenting street cleaning operations. RETENTION: 1 year. (Exempt from destruction request requirement)

5275-06 STREET NAME AND HOUSE NUMBER FILES - Records relating to street dedications, street closings, the assignment and alteration of street names and house numbers, and similar records that provide official control of the naming and numbering of streets and roads. RETENTION: PERMANENT.

5275-07 ROAD AND STREET MAINTENANCE RECORDS - Reports, logs, or similar records, compiled on a daily, weekly, and/or monthly basis documenting repair and maintenance work on the following:

- a) Roads, streets, street lights, sidewalks, rights of way, etc. RETENTION: 3 years.
- b) Bridges and overpasses. RETENTION: Life of structure.

5275-08 ROAD AND STREET MASTER RECORD - Master record in some form of every road and street providing a description, history, and classification of each. RETENTION: PERMANENT. [By law - Civil Statutes, art. 6812b(3) for county engineers in counties with a population of 198,000 to 400,000; Civil Statutes, art. 6812b-1(2) for county engineers in counties with a population of 160,000 to 185,000; and by authority of this schedule for municipalities and all other counties.]

5275-09 ROAD MASTER PLANS - Planning survey of all existing roads and projected improvements and additions to county road systems developed by county engineers in certain counties. RETENTION: PERMANENT. [By law - Civil Statutes, art. 6812b(7) for county engineers in counties with a population of 198,000 to 400,000 and Civil Statutes, art. 6812b-1(4) for county engineers in counties with a population of 160,000 to 185,000.]

5275-10 TREE AND PLANT FILES - Records relating to the planting, trimming, inspection, and removal of trees and shrubs along public streets, roads, and sidewalks. RETENTION: 2 years.

SECTION 4-2: TRAFFIC ENGINEERING RECORDS

5300-01 ACCIDENT REPORTS - Reports, usually supplied by the police department, of traffic accidents used to monitor, redevelop, or redesign streets, intersections, speed limits, signal timing, directional flow patterns, etc. RETENTION: AV. (Exempt from destruction request requirement)

5300-02 SPECIAL EVENTS FILES - Reports, notifications, planning documents, and similar records used in the preparation for special events such as parades, motorcades, demonstrations, or situations resulting in unusually heavy traffic or street use requiring street closures, traffic rerouting, barricades, signal timing changes, etc. RETENTION: 2 years.

5300-03 TRAFFIC COUNT REPORTS - Reports of traffic passage on streets, roads, bridges, intersections, etc. or use of local government owned parking lots or structures. RETENTION: 1 year. (Exempt from destruction request requirement)

5300-04 TRAFFIC DEVICE INSTALLATION AND MAINTENANCE RECORDS - Reports, logs, or similar records documenting the following:

a) Installation, inspection, testing, maintenance, repair, or replacement of traffic signs, signals, and signal boxes. RETENTION: 5 years.

b) Painting, inspection, or repainting of pavement and curb markings. RETENTION: 2 years.

5300-05 TRAFFIC PERMITS - Applications for and copies of permits for special parking, house moving, over dimensional movements, and similar permits and permissions issued by or that concern traffic engineering departments. RETENTION: Expiration, cancellation, revocation, or denial of the permit + 2 years.

5300-06 TRAFFIC SIGNAL RECORDS - Drawings, wiring diagrams, code and circuit numbers, and similar data on traffic signal components. RETENTION: Life of signal component.

5300-07 TRAFFIC SIGNS AND SIGNALS INVENTORY RECORDS - Registers, index cards, or similar records providing an inventory of all installed traffic signs and signals showing type of equipment or sign, location, date of installation, and similar data.

a) If a complete inventory is periodically revised and reprinted. RETENTION: US + 1 year. (Exempt from destruction request requirement)

b) If an inventory is maintained on cards, databases, or similar medium that permits purging. RETENTION: PERMANENT, but purge records relating to junked signs and signals.

SECTION 4-3: PARKING CONTROL RECORDS

5325-01 PARKING DEVICE INSPECTION RECORDS - Reports, logs, or similar records on the inspection, testing, maintenance, and repair of meters, toll gates, or other parking control devices. RETENTION: 2 years.

5325-02 PARKING DEVICE INVENTORY RECORDS - Registers, index cards, or similar records providing an inventory of meters, toll gates, or other parking control devices showing location, type of equipment, date of installation, and similar data.

a) If a complete inventory is periodically revised and reprinted. RETENTION: US + 1 year.

b) If an inventory is maintained on cards, databases, or similar medium that permits purging. RETENTION: PERMANENT, but purge records relating to junked signs.

SECTION 4-4: TRANSIT SYSTEM RECORDS

5350-01 OPERATIONS REPORTS - Periodic reports on usage of rapid transit services.

- a) Annual reports. RETENTION: PERMANENT.
- b) Monthly reports. RETENTION: 3 years.
- c) Daily or weekly reports. RETENTION: 1 year. (Exempt from destruction request requirement)

5350-02 VEHICLE HISTORY AND MAINTENANCE RECORDS

a) Master record on each transit vehicle containing the following: complete description including identification and license numbers; title and registration papers, annual beginning and ending odometer readings, total annual fuel, maintenance, labor, and parts costs; and complete maintenance and inspection history (in summary form showing date and nature of inspection, service, and repair). RETENTION: Life of asset.

Retention Notes: a) This schedule does not require the creation of a vehicle master record of the type described, but if a vehicle master record is not maintained, records containing the prescribed information must be retained for the life of the vehicle. For example, if work orders in (b) are the only record maintained of repairs to transit vehicles, they must be retained for the life of the vehicle.

b) If a transit vehicle is salvaged as the result of an accident, the vehicle master record or, if one is not created, documents providing the types of information prescribed, must be retained for LA + 3 years.

c) If a transit vehicle is sold or given to another transit authority or department for use as a transit vehicle, the vehicle master record may be transferred with the vehicle.

- b) Service requests/work orders. RETENTION: 3 years.
- c) Daily or other periodic activity reports on fuel and oil consumption, odometer readings, etc. from which data is derived for operating cost reports and the vehicle master record. RETENTION: 3 years.
- d) Daily or other periodic inspection reports of vehicles. RETENTION: 3 years.
- e) Specifications, circuit diagrams, and similar documents relating to vehicles and their apparatus. RETENTION: Life of asset.

SECTION 4-5: AIRPORT RECORDS

5375-01 AIRFIELD INCIDENT FILES - Records of accidents or incidents occurring on the movement areas and involving air carrier aircraft and/or ground vehicles. RETENTION: 5 years.

Retention Note: Review before disposal; some documentation of this type may merit permanent or long-term retention for historical or legal reasons.

5375-02 AIRSIDE REPORT/AIRFIELD LOG - Materials documenting the activity of a work shift including conditions or events that would adversely affect airport operations. RETENTION: 2 years.

5375-03 CARRIER RECORDS - Informational materials such as copies of airline schedules, brochures, advertising materials, correspondence from the U. S. Department of Transportation approving carrier routes. RETENTION: AV. (Exempt from destruction request requirement)

FIGURE 2: 13 TAC §7.125(b)(2)

5375-04 CERTIFICATION MANUAL - Manual specifying procedures, facilities and equipment descriptions, responsibility assignments, and any other information needed by personnel concerned with operating the airport in order to comply with Federal Aviation Authority (FAA) standards for airport operations. RETENTION: Until superseded. [By regulation - 14 CFR 139.207(b).] Review before disposal; some documentation of this type may merit permanent or long-term retention for historical or legal reasons.

5375-05 COMMUNICATION TAPES - Daily recording of all phone lines and radios. RETENTION: 30 days. (Exempt from destruction request requirement)

5375-06 EMERGENCY PLANNING RECORDS - Procedures, instructions, and other records maintained to minimize the possibility and extent of personal injury and property damage on the airport in an emergency. RETENTION: Until superseded. [By regulation - 14 CFR 139/325((g)(4).]

5375-07 FOREIGN TRADE ZONE (FTZ) RECORDS

a) FTZ company operation records. RETENTION: 2 years after deactivation from FTZ.

b) FTZ tenants. RETENTION: Until superseded. (Exempt from destruction request requirement)

5375-08 MAINTENANCE AND INSPECTION RECORDS

a) Non-federal navigation facility reports - Record of meter readings and adjustments, facility maintenance log, radio equipment operation record, ground check error data, facility equipment performance and adjustment data, technical performance report, and similar documentation relating to local government-owned and operated navigational facilities such as VOR facilities, nondirectional radio beacons, instrument landing systems, simplified directional facilities, distance measuring equipment, VHF marker beacons, interim standard microwave landing systems, and microwave landing systems. RETENTION: PERMANENT. [By regulation - 14 CFR 171.13(a-e), 171.33(a-c), 171.53(a-c), 171.117(a-c), 171.163(a-c), 171.213(a-c), 171.275(a-c), and 171.327(a-c).]

b) Runway maintenance records - Logs, reports, and similar records relating to the inspection, maintenance, and repair of runways, runway lights, beacons, and other such ground or device maintenance records directly related to the landing and taking off of aircraft, *except* those included in directional facility records. RETENTION: 10 years

c) Safety self-inspections - Daily, or as otherwise required by the airport certification manual or airport certification specifications, reports of safety self-inspections of airport conditions in specific locations showing the conditions found and all corrective actions taken. RETENTION: 6 months. [By regulation - 14 CFR 139.327(c).] (Exempt from destruction request requirement)

d) Tenant inspections - Materials documenting inspections of the physical facilities of each airport tenant fueling agent. RETENTION: 1 year. [By regulation - 14 CFR 139.321(d).] (Exempt from destruction request requirement)

e) Other inspections. RETENTION: 3 years.

5375-09 NOTICES TO AIRMEN - Reports officially notifying the public, FAA, and airlines that a problem exists with the airport facility. RETENTION: 2 years after notice is canceled.

5375-10 OPERATIONAL PERMITS AND CERTIFICATIONS

a) Permits and certifications from the FAA or other state and federal agencies and any reports, correspondence, or other documentation bearing directly on the application for, the issuance of, or the renewal of the permit or certification. RETENTION: 5 years after final expiration, cancellation, revocation, or denial of the permit or certification.

b) Records concerning any exemptions granted or deviations required by an emergency. RETENTION: 5 years after deviation or expiration of exemption.

FIGURE 2: 13 TAC §7.125(b)(2)

5375-11 OPERATIONS REPORTS - Periodic reports or logs of airport operations, services, and activities, and statistical summaries of such reports.

- a) Daily reports or logs and weekly and/or monthly statistical summaries of such reports. RETENTION: 3 years.
- b) Annual reports. RETENTION: PERMANENT.

5375-12 REPORTS TO REGULATORY AGENCIES - Reports on any aspect of airport operations to the Federal Aviation Administration (FAA) or to other state or federal agencies as required by law, regulation, or agency order.

- a) Annual reports. RETENTION: PERMANENT.
- b) Special reports that *are not* recapitulated in annual reports. RETENTION: PERMANENT.
- c) Interim or periodic reports on a less than annual basis that are recapitulated in an annual report or in a special report under (b). RETENTION: 5 years.

PART 5: SOIL AND WATER CONSERVATION RECORDS

5400-01 ALLOCATIONS OF FUNDS, REQUESTS AND CLAIMS FOR - Copies of requests and claims for allocations submitted to the Texas State Soil and Water Conservation Board. RETENTION: FE + 3 years.

5400-02 VARIANCE OF LAND USE REGULATIONS, PETITIONS FOR

- a) Granted petitions. RETENTION: As long as variance in effect + 2 years.
- b) Denied petitions. RETENTION: 2 years.

5400-03 WATER QUALITY MANAGEMENT PLANS - Water quality management and implementation plans developed by soil and water conservation plans for landowners to prevent and abate pollution, including any associated corrective action plans, notifications of withdrawal of certification, and maintenance agreements. RETENTION: Life of plan + 2 years.

PART 6: RECORDS OF AGRICULTURE EXTENSION AGENTS

5425-01 CLIENT FILES - Original records documenting the work of agriculture extension agents with their clients and copies of documents that by law, regulation, or administrative policy of the Agriculture Extension Service at Texas A&M University or other authorizing agency are retained by the agent after filing originals with the service or other agency. RETENTION: 3 years.

PART 7: ENVIRONMENTAL HAZARDS RECORDS

5450-01 ASBESTOS MANAGEMENT RECORDS

- a) Records documenting asbestos abatement projects in public buildings. RETENTION: 30 years from the date of project completion. [By regulation - 25 TAC §95.62(a).]
- b) Records of asbestos inspections. RETENTION: 5 years.

5450-02 ENVIRONMENTAL PROTECTION AND NATURAL RESOURCES MANAGEMENT PLANS - Planning reports, background materials, and supporting documentation used to provide for the protection of the environment. RETENTION: PERMANENT.

FIGURE 2: 13 TAC §7.125(b)(2)

5450-03 ENVIRONMENTAL QUALITY REVIEW RECORDS - Environmental impact statements and related reports, including background materials and supporting documentation used in preparing statements and reports.
RETENTION: PERMANENT.

5450-04 PEST CONTROL RECORDS

- a) Records of pesticide applications, inspections and sampling notifications, and other documentation required by pesticide regulations. **RETENTION: 2 years.** [By law - Agriculture Code, Section 76.114(c) and by regulation - 4 TAC 7.18(a) and 22 TAC 595.4.]
- b) Notices of aerial application of insecticides. **RETENTION: 2 years.**

5450-05 STORAGE TANK (IMMOVABLE) SYSTEM RECORDS - Documentation of compliance with regulations for underground tank systems storing hazardous substances and petroleum substances, and immovable aboveground tanks storing petroleum products. (See item number 5450-06 for records of movable aboveground storage tanks.)

- a) Original and amended tank registration documents, original and amended certifications for storage tank system installations and financial responsibility, and notifications to storage tank purchaser. **RETENTION: Operational life of the storage tank system.** [By regulation - 30 TAC 334.130(b)(1)(A) and 334.10(b)(2)(A).]
- b) Records of requests for approval of variances or alternative procedures, and documentation of approval of such requests. **RETENTION: Operational life of the storage tank system.** [By regulation: 30 TAC 334.43(e).]
- c) Installation records.
 - 1) General information relating to the installation of new storage tank systems and as-built drawings or plans depicting the sizes, dimensions, and locations of site features, system components, etc. **RETENTION: Operational life of the storage tank system.** [By regulation - 30 TAC 334.46(i)(2).]
 - 2) Equipment tests including the air tests and the tightness tests conducted on the tanks and piping at the time of installation. **RETENTION: 5 years.** [By regulation - 30 TAC 334.46(i)(3).]
- d) Records for upgrading of existing storage tank systems.
 - 1) General information related to the tank integrity assessment and cathodic protection requirements and as-built drawings or plans depicting the sizes, dimensions, and locations of any system components or equipment added. **RETENTION: Operational life of the storage tank system.** [By regulation - 30 TAC 334.47(d)(2).]
 - 2) Results of equipment tests and tank integrity tests required when upgrading existing storage tank systems including internal inspections, tank and piping tightness tests, and site assessments. **RETENTION: 5 years.** [By regulation - 30 TAC 334.47(d)(3).]
- e) Operation and maintenance records of storage tank systems including records related to inspection, servicing, testing, and inventory control. **RETENTION: 5 years.** [By regulation - 30 TAC 334.48(g).]
- f) Corrosion protection records.
 - 1) Installation records relating to the corrosion protection system including information on the system designer, drawings or plans depicting the locations of all system components, operating instructions and warranty information, maintenance schedules, and testing procedures. **RETENTION: As long as the corrosion protection system is used.** [By regulation - 30 TAC 334.49(e)(2)(A).]
 - 2) Results of tests and inspections of corrosion protection systems and components. **RETENTION: 5 years.** [By regulation - 30 TAC 334.49(e)(2)(B).]

g) Release detection records.

1) Installation records related to the release detection system; all written performance claims pertaining to the system used and documentation of how those claims have been justified or tested by the equipment manufacturer or installer; and any schedules of required calibration and maintenance provided by the release detection equipment manufacturer. RETENTION: As long as the release detection system is used. [By regulation - 30 TAC 334.50(e)(2)(A), (B), and (E).]

2) Results of sampling, testing, or monitoring of releases (including tank tightness tests); records and calculations related to inventory control reconciliation; and documentation of service, calibration, maintenance, and repair of release detection equipment. RETENTION: 5 years. [By regulation - 30 TAC 334.50(e)(2)(C), (D), and (E).]

h) Spill and overflow control records.

1) Installation records of spill and overflow prevention equipment. RETENTION: As long as the spill and overflow prevention equipment is used. [By regulation - 30 TAC 334.51(c)(2)(A).]

2) Records of servicing, calibration, maintenance, and repair of spill and overflow equipment. RETENTION: 5 years. [By regulation - 30 TAC 334.51(c)(2)(B).]

3) Transfer or inventory records documenting the basis for claiming an exemption from the spill and overflow equipment requirements, if applicable. RETENTION: 5 years. [By regulation - 30 TAC 334.51(c)(3).]

i) Records for repairs and relining.

1) General information related to the repair or relining of a storage tank including materials specifications, warranty information, recommended test procedures, and inspection and maintenance schedules applicable to the relining of a storage tank. RETENTION: Operational life of the storage tank system. [By regulation - 30 TAC 334.52(d)(2)(A) and (C).]

2) Results of inspections, tests, and maintenance activities. RETENTION: 5 years. [By regulation - 30 TAC 334.52(d)(2)(B).]

j) Records of the installation of a used tank including inspection and tank tightness tests required for the reuse of used tanks. RETENTION: As long as the tank remains in operation. [By regulation - 30 TAC 334.53(c).]

k) Documentation of compliance with requirements for the temporary removal from service of a storage tank. RETENTION: 5 years. [By regulation - 30 TAC 334.54(f)(4)(B).]

l) Documentation of compliance with requirements for the permanent removal from service of a storage tank. RETENTION: As long as any underground storage tank remains in service at the facility or 5 years after the storage tank system is permanently removed from service, whichever longer. [By regulation - 30 TAC 334.55(f)(2).]

5450-06 STORAGE TANK (MOVABLE) SYSTEM RECORDS - Records of movable aboveground storage tanks that are regularly used to store petroleum products (e.g., skid tanks), are intended to be moved from one location to another on a regular basis, and are not permanently part of any particular facility. RETENTION: 5 years. [By regulation - 30 TAC 334.127(f)(2).]

5450-07 WASTE GENERATORS, RECORDS OF

a) Authorized discharges to surface waters - Records documenting permit requirements for monitoring and processing the surface discharge of wastewater generated from treatment of water contaminated by petroleum substances, and discharges to surface waters from locally owned or operated activities including ready-mixed concrete plants and concrete products plants and their associated facilities, sand and gravel mining and processing facilities, motor vehicle cleaning facilities, and petroleum bulk stations and terminals. RETENTION: 3 years.

FIGURE 2: 13 TAC §7.125(b)(2)

b) Hazardous waste - Operations records of generators of hazardous waste regarding the quantities generated and shipped off-site for storage. For retention requirements of records for local government-owned facilities that store, process, or dispose of hazardous waste, see Part 3 of Local Schedule UT (Records of Utility Services).

Retention Note: The retention period for the following records maintained by generators of hazardous waste is extended automatically during the course of any unresolved enforcement action regarding the regulated activity.

1) Records of any test results, waste analyses, or other methods used to determine if waste is hazardous. RETENTION: 3 years after the waste was last sent to an on-site or off-site storage, processing, or disposal facility. [By regulation - 30 TAC 335.70(a).]

2) Manifests and shipping papers, such as monthly shipment summaries and exception reports, retained by generators of hazardous waste. RETENTION: 3 years. [By regulation - 30 TAC 335.13(a), (b), (d), and (e).]

3) Annual summary reports submitted by the generator to the Texas Natural Resource Conservation Commission. RETENTION: 3 years. [By regulation - 30 TAC 70(b) and (c).]

c) Spill prevention and control.

1) Notifications of all discharges or spills required to be reported by regulations of the Texas Natural Resource Conservation Commission such as any quantity of oil, hazardous substances, or other substances, discharged or spilled into or which may enter water in the state if not immediately contained, controlled, or removed; any discharge or spill during transportation; any discharge or spill which presents an imminent and substantial endangerment to public health or public safety; etc. RETENTION: 3 years.

2) Records of all discharges or spills and historical contamination, not subject to notification requirements, maintained by facilities registered with the Texas Natural Resource Conservation Commission as a solid waste generator. RETENTION: 3 years.

d) Used oil filters - Shipping documentation retained by generators of used oil filters. RETENTION: 3 years. [By regulation - 30 TAC 330.1186(b).]

e) Whole used or scrap tires - Manifests, work orders, invoices, daily logs, or other documentation used to support activities related to the accumulation, handling, and shipment of whole used or scrap tires. RETENTION: 3 years. [By regulation - 30 TAC 330.807(a) and (e).]

PART 8: WEIGHTS AND MEASURES RECORDS

Retention Note: The retention periods in this part apply to the records of county public weighers and county or municipal sealers of weights and measures. This part should not be used by state public weighers or state sealers of weights and measures.

5475-01 **RECORD OF WEIGHTS** - Copies of certificates of weight or measure issued by a public weigher. RETENTION: 3 years.

5475-02 **WEIGHTS AND MEASURES INSPECTION RECORDS**

a) Record, maintained in a bound volume or on separate forms, of each inspection, measurement, and test made by a sealer of weights and measures. RETENTION: 3 years.

b) Copies of reports to the Texas Department of Agriculture on violations of state weights and measures laws. RETENTION: 1 year. (Exempt from destruction request requirement)

PART 9: LIBRARY AND MUSEUM RECORDS

5500-01 ACCESSION/DEACCESSION RECORDS - Records used to update library catalogs or inventory records of the accession through purchase or gift or the deaccession through loss or withdrawal of library and museum materials. RETENTION: AV. (Exempt from destruction request requirement)

Retention Note: This record series does not include the record copy of purchase requisitions or orders or accounts payable documentation. See item numbers 1025-26 and 1075-03 in Local Schedule GR (Records Common to All Local Governments).

5500-02 BORROWER REGISTRATION RECORDS - Records documenting the registration of borrowers. RETENTION: AV. (Exempt from destruction request requirement)

5500-03 CIRCULATION RECORDS - Records documenting the circulation of library materials to individual borrowers. RETENTION: AV. (Exempt from destruction request requirement)

5500-04 INTERLIBRARY LOAN RECORDS - Records relating to the lending and borrowing of library materials through interlibrary loan. RETENTION: AV. (Exempt from destruction request requirement)

Retention Note: It is an exception to the retention period for this item that if interlibrary loan services are funded by indirect grants from the U.S. Department of Education, the record copy of documents evidencing interlibrary loan activity must be retained for FE + 7 years. See introductory retention note concerning grant records in Part 2 of Local Schedule GR (Records Common to All Local Governments).

5500-05 INVENTORY RECORDS - Shelf lists or equivalent records showing current library and museum holdings. RETENTION: Until superseded. (Exempt from destruction request requirement)

5500-06 LIBRARY CATALOGS. RETENTION: Until superseded. (Exempt from destruction request requirement)

PART 10: PARKS AND RECREATION RECORDS

Retention Note: This part concerns records associated with the use of parks; playgrounds; community centers; swimming pools; theaters; concert halls; golf courses; zoos; civic auditoriums; and other sports, recreational, and cultural facilities owned and operated by a local government.

5525-01 ATTENDANCE REPORTS - Reports, statistical compilations, and similar records of attendance at and the use of parks and recreational facilities.

a) Annual reports. RETENTION: PERMANENT.

b) Monthly reports. RETENTION: 3 years.

c) Daily or weekly reports. RETENTION: 1 year. (Exempt from destruction request requirement)

5525-02 HORTICULTURAL FILES - Inventories, maps, and similar records relating to the botanical description and location of all plants, trees, and shrubs in local government parks, botanical gardens, arboretums, zoos, etc. RETENTION: AV. (Exempt from destruction request requirement)

Retention Note: Review before disposal; some records in this group may merit permanent retention for historical reasons.

5525-03 PROGRAM FILES - Records relating to sports, recreational, or cultural activities and programs sponsored by a local government, including activity schedules, programs, rosters, status sheets, scorebooks, rules and regulations, activity planning records, and all other similar records not noted elsewhere in this part. RETENTION: 2 years.

FIGURE 2: 13 TAC §7.125(b)(2)

5525-04 RESERVATION AND REGISTRATION RECORDS

- a) Logs or similar records documenting the reservation of park and recreational facilities. RETENTION: 2 years.
- b) Applications for reserved use of park and recreational facilities not requiring a permit under local ordinance or policy. RETENTION: 2 years.

Retention Note: For reserved or special use of park or recreational facilities requiring a permit under local ordinance or policy see item number 1000-36 in Local Schedule GR (Records Common to All Local Governments).

- c) Waivers of liability/parental consents. RETENTION: 2 years from cessation of activity for which the waiver was signed.

Retention Note: If an accident occurs to any person covered by a signed waiver of liability, it must be retained for the same period as accident reports. See item number 1000-20 in Local Schedule GR (Records Common to All Governments).

5525-05 SWIMMING POOL REPORTS - Swimming pool water quality test and analysis reports. RETENTION: 3 years.

5525-06 VISITOR'S LOGS - Guest books, registers, logs, or similar records of visitors to museums, historical sites, and other facilities owned or operated by a local government. RETENTION: 2 years.

PART 11: ZOO RECORDS

5550-01 PERMITS AND LICENSES - Permits and licenses required by law or regulation from the U. S. Department of Agriculture, the Fish and Wildlife Service of the U. S. Department of Interior, or other federal or state agencies. RETENTION: Expiration or termination + 3 years.

5550-02 MIGRATORY BIRD RECORDS - Records showing the species and number of migratory birds acquired, possessed and disposed of; the names and addresses of persons from whom the birds were acquired and to whom such birds were donated or sold. RETENTION: CE + 5 years. [By regulation - 50 CFR 21.12(b).]

5550-03 WILDLIFE RECORDS - Records relating to zoo wildlife, *except* migratory birds (see item number 5500-02).

a) Records relating to the taking, possession, transportation, sale, purchase, barter, exportation, or importation of wildlife under permit issued by the Fish and Wildlife Service of the U. S. Department of Interior. RETENTION: Expiration of permit + 5 years. [By regulation - 50 CFR 13.46.]

b) Records relating to the euthanization of or disposal of dead zoo animals *except* as noted in (c). RETENTION: 1 year. [By regulation - 9 CFR 2.80(a).] (Exempt from destruction request requirement)

c) Necropsy reports on dead marine mammals. RETENTION: 3 years. [By regulation - 9 CFR 3.110(g).]

d) Water quality test reports for marine mammal facilities. RETENTION: 1 year. [By regulation - 9 CFR 3.106(a)(3).] (Exempt from destruction request requirement)

PART 12: PUBLIC BROADCASTING RECORDS

Retention Notes: a) The retention periods in this part are for the records of noncommercial AM or FM radio and television broadcasting stations owned and operated by a local government.

b) Throughout this part the Federal Communication Commission is referred to as the FCC.

FIGURE 2: 13 TAC §7.125(b)(2)

c) It is an exception to the retention periods given in this part, that records having a substantial bearing on a matter which is the subject of a claim against the licensee, or relating to an FCC investigation or a complaint to the FCC of which the licensee has been advised, shall be retained until the licensee is notified in writing that the records may be discarded, or, if the matter is a private one, the claim has been satisfied or is barred by statutes of limitation. In addition, it is an exception to the retention period for item number 5575-08 that logs involving communications incident to a disaster or which include communications incident to or involved in an investigation by the FCC and about which the licensee has been notified, shall be retained by the licensee until specifically authorized in writing by the FCC to destroy them.

5575-01 APPLICATIONS FOR CHANGE IN PROGRAM SERVICE AND OTHER MATTERS - Records relating to applications (granted and denied) for changes in program service or for voluntary or involuntary assignment or transfer not resulting in a substantial change in ownership or control of the station, including copies of applications and all exhibits, letters, and other documents tendered with or incorporated by reference in the application and all correspondence between the applicant and the FCC. **RETENTION:** Until the expiration of the licensing term (5 years for television licensees and 7 years for radio licensees) or until the grant of the renewal application of the license in question, whichever later. [By regulation - 47 CFR 73.3527(e)(2).]

Retention Note: It is an exception to the retention period indicated that any engineering material filed with or referenced in an application need not be retained longer than 3 years after a station commences operation under a new or modified mode. See 47 CFR 73.3527(e)(2)(i).

5575-02 COMMUNITY ISSUE REPORTS - Copies of quarterly reports on the treatment of community issues submitted to the FCC. **RETENTION:** 5 years for television licensees; 7 years for radio licensees. [By regulation - 47 CFR 73.3527(e).]

5575-03 CONSTRUCTION PERMIT RECORDS - Records relating to applications for the construction of new stations in the noncommercial educational broadcast services, including copies of applications and all exhibits, letters, and other documents tendered with or incorporated by reference in the application; all correspondence between the applicant and the FCC; any initial and final decisions in any hearings on the application; copies of any petitions filed to deny the application; and documentation relating to any requests for an extension of time to complete construction.

a) If permit is granted. **RETENTION:** Until the expiration of the first licensing term (5 years for television licensees and 7 years for radio licensees) or until the grant of the first renewal application of the license in question, whichever later. [By regulation - 47 CFR 73.3527(e)(2).]

b) If permit is denied. **RETENTION:** Until denial of permit by the FCC or, if appealed to a court, until decision of FCC upheld.

5575-04 DONOR LISTS - Lists of donors supporting specific programs broadcast by the station. **RETENTION:** 2 years. [By regulation - 47 CFR 73.3527(e).]

5575-05 EMPLOYMENT REPORTS - Copies of annual employment reports filed with the FCC, including all exhibits, letters and other documents filed with or incorporated by reference in the report. **RETENTION:** 5 years for television licensees and 7 years for radio licensees. [By regulation - 47 CFR 73.3527(e)(2).]

5575-06 OPERATIONAL LICENSES AND PERMITS - Station operation and broadcasting licenses and permits from the FCC, *except* those noted elsewhere in this part. **RETENTION:** Expiration or cancellation of license or permit + 3 years.

5575-07 POLITICAL FILES - Record of requests made by or on behalf of political candidates for broadcast time, including a schedule of time purchased or provided free, when spots actually aired, the rates charged (if any), and the classes of time purchased (if any). **RETENTION:** 2 years. [By regulation - 47 CFR 79.1943(c).]

5575-08 STATION LOGS - Logs containing technical data on the operation of the station as required by regulations of the FCC (47 CFR 73.1800 and 73.1820). **RETENTION:** 2 years, *but see retention note.* [By regulation - 47 CFR 73.1840(a).]

Retention Note: It is an exception to the retention period indicated that logs involving communications incident to a disaster or which include communications incident to or involved in an investigation by the FCC and about

which the licensee has been notified, shall be retained by the licensee until specifically authorized in writing by the FCC to destroy them and such records are exempt from destruction request requirement. In addition, logs incident to or involved in any claim or complaint of which the licensee has notice shall be retained by the licensee until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for filing of suits upon such claims.

PART 13: SOCIAL SERVICES RECORDS

5600-01 AGING, RECORDS OF SERVICES FOR THE - Records of local government services for the elderly, funded through grants from the Texas Department of Aging.

a) Financial records, supporting documents, statistical records, and other records relating to the performance of local governments designated to receive grants as area agencies on aging or local governments subcontracting for services to older persons such as transportation, homemaker services, multipurpose senior centers, information and referral, nutrition services, etc. **RETENTION:** 5 years after the end of grantee's fiscal year or until audit findings or other disputes or litigation have been resolved. [By regulation - 40 TAC 255.35(d)(1)(A).]

b) Records relating to all complaints filed concerning a grantee agency. **RETENTION:** 5 years after the end of grantee's fiscal year or until any pending litigation, claim or audit findings, issuance of proposed disallowed costs, or other disputes have been resolved. [By regulation - 40 TAC 254.21(e).]

c) Training records certifying completion of an approved National Safety Council Defensive Driving Course for vehicle operators providing transportation services authorized under Title III of the Older Americans Act. **RETENTION:** Until superseded. [By regulation - 40 TAC 273.3(b)(6).]

Retention Note: Current certification must be retained to verify that training has been received.

d) Administrative, fiscal, personnel, and client case records documenting case management services. **RETENTION:** 3 years after termination of the contract or until any litigation, claim, or audit is resolved. [By regulation: 40 TAC 293.23(4)(A).]

Retention Note: Any personnel or payroll records in this record group must be kept for the retention period indicated here or for the retention period for the record in Part 3 of Local Schedule GR (Records Common to All Local Governments), whichever longer.

5600-02 CHILD PROTECTIVE SERVICE RECORDS - Records of local government services to protect children from abuse and neglect.

a) Child placement services (24 hour care and adoption).

1) Case records of children placed in substitute care *except* for health records and documentation of the termination of parental rights. **RETENTION:** 10 years. [By regulation - 40 TAC 720.28(h).]

2) For children placed in substitute care, health records that physicians advise will be of medical importance to the child and information concerning the termination of parental rights or the court order. **RETENTION:** PERMANENT. [By regulation - *Minimum Standards for Child-Placing Agencies*, Texas Department of Protective and Regulatory Services.]

3) Case records of children placed in adoption. **RETENTION:** PERMANENT. [By regulation: *Minimum Standards for Child-Placing Agencies*, Texas Department of Protective and Regulatory Services.]

b) Child welfare contracts - Fiscal documents maintained by a county to ensure that claims for federal matching funds for child welfare contracts with the Texas Department of Protective and Regulatory Services (PRS) meet applicable federal requirements. **RETENTION:** 3 years after the date the final expenditure date is submitted. [By regulation - 40 TAC 700.101(c).]

FIGURE 2: 13 TAC §7.125(b)(2)

Retention Note: If audited during the three-year period, the county must keep the documents until any audit exceptions are reconciled.

c) Contracts with PRS for services for runaways and at-risk youth.

1) Financial and supporting documents, statistical records, and any other records pertinent to the services for which a claim or cost report was submitted to the department or its agent. RETENTION: 3 years and 90 days after the end of the contract period or 3 years after the end of the federal fiscal year in which services were provided (if a provider agreement/contract has no specific termination date in effect) or until all litigation, claims, or audit findings are resolved. [By regulation - 40 TAC 700.2103(b) and 40 TAC 732.202(b).]

Retention Note: Contract period means the beginning date through the ending date specified in the original agreement/contract; extensions are considered separate contract periods.

2) Records of nonexpendable property acquired under the contract. RETENTION: 3 years after the final disposition of the property. [By regulation - 40 TAC 700.2103(b) and 40 TAC 732.202(b).]

d) Client files documenting protective services funded through contracts with PRS. RETENTION: 5 years from the last date of services. [By regulation - 40 TAC 732.202(c) for medical records, and by authority of this schedule for documentation of other child welfare services.]

5600-03 PURCHASED SOCIAL SERVICES RECORDS - Documentation of social services funded through a contract with the Texas Department of Human Services *except* purchased health services listed in Local Schedule HR (Records of Public Health Agencies).

a) Financial and supporting documents, statistical records, and any other records pertinent to the services for which a claim or cost report was submitted to the department or its agent. RETENTION: 3 years and 90 days after the end of the contract period or 3 years after the end of the federal fiscal year in which services were provided (if a provider agreement/contract has no specific termination date in effect) or until all litigation, claims, or audit findings are resolved. [By regulation - 40 TAC 69.202(b).]

Retention Note: Contract period means the beginning date through the ending date specified in the original agreement/contract; extensions are considered separate contract periods.

b) Records of nonexpendable property acquired under the contract. RETENTION: 3 years after the final disposition of the property. [By regulation - 40 TAC 69.202(b).]

c) Social services client files. RETENTION: 5 years from the last date of services. [By regulation - 40 TAC 69.202(c) for medical records, and by authority of this schedule for documentation of other social services in the case file.]

5600-04 SOCIAL SERVICE CLIENT CASE FILES - Records of local government programs that provide social services such as emergency assistance, child care programs, services to the aged and disabled, housing and homelessness programs, etc., *except* for those programs funded by contracts with state agencies, as specified elsewhere in this section.

a) Denied applicant records including application, eligibility worksheet, note of eligibility decision, reason for denial, and explanation of appeal process. RETENTION: 3 years.

b) Eligible applicant records documenting services provided including application for services, eligibility verification, case assessment, referrals to community resources, etc. RETENTION: 5 years from last date of service.

5600-05 VOLUNTEER SERVICES FILES - Information about individual volunteers and duties they perform. RETENTION: Termination of services + 3 years.

PART 14: VETERANS SERVICE OFFICER RECORDS

5625-01 **CLIENT FILES** - Original records documenting the work of veterans service officers with their clients and copies of documents that by law, regulation, or administrative policy of authorizing federal or state agencies are retained by the agent after filing originals with the agency. **RETENTION:** 3 years.

PART 15: GAMING RECORDS

5650-01 **BINGO APPLICATIONS AND LICENSES** - Copies of applications to conduct bingo games and copies of bingo licenses.

a) Applications. **RETENTION:** 1 year. (Exempt from destruction request requirement)

b) Licenses and license renewals. **RETENTION:** Until superseded, *but see retention note.* (Exempt from destruction request requirement)

Retention Note: If a bingo license is 2 years old and has not been superseded by a new license, it may be disposed of.

5650-02 **REPORTS OF PROCEEDS** - Reports of proceeds of bingo operators licensed to operate in counties and cities.

a) If the city or county has imposed a gross receipts tax on bingo proceeds. **RETENTION:** FE + 3 years.

b) If the city or county has *not* imposed a gross receipts tax on bingo proceeds. **RETENTION:** AV. (Exempt from destruction request requirement)

PART 16: CEMETERY RECORDS

Retention Note: This part applies to the records of cemeteries operated by counties, cities, or any other local government.

5675-01 **CREMATION RECORDS** - Records relating to the cremation of human remains in a cemetery crematorium showing name and age of deceased (if known), date of cremation, and disposition of cremated remains. **RETENTION:** PERMANENT.

5675-02 **INTERMENT RECORDS** - Records showing name and age of deceased (if known), date of interment, and type and location of interment. **RETENTION:** PERMANENT.

5675-03 **DISINTERMENT RECORDS** - Court or health department exhumation orders, copies of disinterment permits, reports concerning the disinterment and subsequent disposition of the exhumed remains, and similar records relating to the disinterment or exhumation of human remains. **RETENTION:** PERMANENT.

5675-04 **CEMETERY MAPS AND PLATS** - Maps, plats, or similar records showing the location of all graves and gravesites in the cemetery. **RETENTION:** PERMANENT.

5675-05 **CEMETERY REGISTERS** - Ledgers, registers, or similar records showing all cemetery lots by plat number with the name of the purchaser, purchase price, and date of purchase. **RETENTION:** PERMANENT.

5675-06 **DEEDS (CEMETERY)** - Deed books or copies of deeds or comparable instruments of ownership of lots and gravesites, including similar records relating to deed transfers. **RETENTION:** PERMANENT.

PART 17: COUNTY HISTORICAL COMMISSION RECORDS

5700-01 COUNTY REGISTER OF HISTORICAL PLACES AND MEMORABILIA - Register containing data on historical places and memorabilia required of county historical commissions by the Local Government Code, Section 318.006(b). RETENTION: PERMANENT.

PART 18: MISCELLANEOUS RECORDS

5725-01 OIL AND GAS DRILLING PERMIT RECORDS - Records relating to drilling for oil and gas on land owned by municipalities or other local governments.

- a) Permits. RETENTION: Expiration, cancellation, revocation, or denial of permit + 5 years.
- b) Inspection reports. RETENTION: 3 years.
- c) Division orders. RETENTION: Expiration, cancellation, or revocation of associated permit + 5 years.

FIGURE 1:25 TAC 408.21 indicates that this material is located in rule 408.21.

MENTAL HEALTH COMMUNITY SERVICES STANDARDS

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PART I
REQUISITE STANDARDS

CHAPTER 1 — REQUISITE STANDARDS

Reference Code R — Requisite	Standard
1.1.R Abuse, Neglect, and Exploitation Procedures	The MHA implements written policies and procedures regarding client abuse, neglect, and exploitation which include prevention, reporting, and follow-up in accordance with Chapter 404, Subchapter A (relating to Abuse, Neglect, and Exploitation in TDMHMR Facilities) and Subchapter B (relating to Abuse, Neglect, and Exploitation of Persons Served by Providers of Local Authorities).
1.2.R Protection of Rights	The MHA engages in procedures and practices which promote and protect the rights, dignity, and privacy of the individual. The MHA complies with Chapter 404, Subchapter E (relating to Rights of Persons Receiving Mental Health Services).
1.3.R Infection Control Plan	The MHA implements written policies and procedures addressing chronic/carrier state infections, life threatening infectious diseases and infectious diseases that may result in chronic carrier state infections, such as Hepatitis B, HIV and TB and includes procedures for post-exposure management of infections. Procedures address the monitoring of food handlers for infectious diseases, prevention of bacterial contamination, and hygienic use of kitchen equipment and other applicable equipment.
1.4.R Safe Environment	The environment (facilities and vehicles) is safe and free from hazards. Safeguards exist with regard to hazardous equipment.
1.5.R Life Safety Code	The MHA complies with the most recent edition of the National Fire Protection Association's Life Safety Code. All waivers or exceptions granted by the state or local authority having jurisdiction are identified in writing and maintained in centrally located MHA files.
1.6.R Access to Emergency Services	The MHA has immediate access and demonstrates the ability to access emergency medical and psychiatric services, 24-hours-a-day, 365-days-a-year.
1.7.R First Aid/ CPR/Seizure Assessment Training/Side Effects	<ul style="list-style-type: none"> ▶ All direct care staff are trained and maintain competency in first aid, cardiopulmonary resuscitation (CPR), and seizure assessment within 60 days of hire date and maintain competency. ▶ There is at least one staff member fully trained in emergency procedure on duty at the program site at all times. ▶ After demonstrating competency, licensed physicians are exempt from first aid and seizure assessment training and licensed nurses are exempt from first aid training; although competency must be maintained. ▶ Within 60 days of employment and annually thereafter, direct care staff demonstrate competency in the recognition, reporting, and recording of side effects of psychotropic medications and interactions/contraindications with other medications.
1.8.R Suicide/Homicide Precautions & Training	The MHA implements written policies and procedures for suicide and homicide precautions. Procedures are approved by an MHA psychiatrist and include written criteria for placing or removing a person on suicide and homicide precautions. Programs that use suicide and homicide precautions train staff performing such procedures prior to assuming duty.

1.9.R Unusual Incident Reporting	Information regarding unusual incidents is reported by the provider/staff according to the MHA procedures and appropriate follow-up action is taken.
1.10.R Screening and Crisis Access	The MHA provides a trained staffed telephone screening and crisis response system 24-hours-a-day, 365-days-a-year, available in all areas served by the MHA. Telephone service is available at no charge and is well publicized.
1.11.R Immediate QMHP—CS Assessment	Individuals who are experiencing a behavioral/emotional crisis with the potential for life threatening behavior and/or an acute psychiatric crisis are immediately assessed face-to-face by a qualified mental health professional — community services (QMHP—CS). The assessment is performed in the person's home community unless clinically contraindicated. The assessment is available 24 hours a day, 365 days a year. The provider uses designated assessment instruments as determined by the MHA.
1.12.R Physician Assessment	If life threatening behavior and/or acute psychiatric crisis is confirmed by the QMHP—CS, then the QMHP—CS provides ongoing interventions and/or monitoring and the person is assessed face-to-face by a physician, preferably a MHA psychiatrist, as soon as possible, but within 24 hours. This assessment is documented by the physician.
1.13.R Staff Competencies	The MHA defines and assures ongoing competencies of staff in assessment, treatment planning, service delivery, accommodating special needs, and assisting individuals to access MHA services.
1.14.R Sufficient Staffing	Sufficient staffing is provided and documented to ensure safety and adequacy of programming.
1.15.R Separate Residential Settings	Children, adolescents, and adults are treated in separate residential program settings. If a single residential structure provides services for children, adolescents, and adults, there is physical separation of the populations. Exceptions are clinically justified and documented by a physician.
1.16.R Use of Restraint or Seclusion	Restraint or seclusion is used only when there is substantial risk of harm to self or others and after other intervention strategies have been attempted and failed, using only reasonable and necessary force. Restraint or seclusion is authorized by a physician's order prior to or as soon as possible, following implementation of the procedure. No PRN orders are used and a physician's order must be obtained prior to reinstatement. Physician orders specify the length of time the order is in effect, not to exceed 12 hours.

<p>1.17.R Restraint or Seclusion Implementation</p>	<p>During mechanical restraint, staff will constantly observe the individual and provide the individual with circulation checks at least every 15 minutes and the opportunity for motion or exercise during each hour of restraint. The individual is informed of stipulations for release initially and when clinically appropriate and given the opportunity to process the reason for restraint. The MHA implements procedures to ensure the proper management of individuals in restraint or seclusion during evacuation of facilities due to drills or actual disasters. People subject to restraint or seclusion are provided:</p> <ul style="list-style-type: none"> ▶ regular meals and fluids; ▶ regularly prescribed medications; ▶ use of toilet as needed or at least once every 2 hours; ▶ a bath at least once daily; ▶ safety; and ▶ privacy.
<p>1.18.R Designation as a QMHP—CS</p>	<p>For all activities requiring a QMHP—CS, the MHA implements policies and procedures to designate and insure initial and ongoing competency of QMHP—CS staff.</p>
<p>1.19.R Certification/ Licensure or Registration of Services</p>	<p>Services provided in hospitals or crisis stabilization units are provided in facilities licensed by the Texas Department of Health. An MHA-operated/contracted pharmacy is licensed by the Texas Board of Pharmacy. All MHA-operated/contracted residential facilities evidence applicable certification, registration, or licensure. Evidence of such licensure is maintained and verified by the MHA.</p>
<p>1.20.R Licensure/ Certification of Staff</p>	<p>Each physician, registered nurse, licensed vocational nurse, social worker, psychologist, pharmacist and/or other licensed or certified staff maintain current licensure/certification according to state law.</p>
<p>1.21.R Laws Compliance</p>	<p>The MHA complies with all local, state and Federal laws, including current Americans With Disabilities Act (ADA) requirements.</p>

PART II
ORGANIZATIONAL STANDARDS

CHAPTER 2 – RIGHTS & RESPONSIBILITIES

Reference Code O – Outcome P – Process	Standard
2.1.O Dignity and Rights Protection	Individuals report they are treated with respect and dignity and their rights are explained and protected.
2.2.O Due Process	Individuals report satisfaction with the opportunity for due process if their rights are limited.
2.3.P Mental Health Code	The MHA implements policies and procedures which address the rights of individuals in accordance with the Texas Mental Health Code, (Texas Health and Safety Code, Section 571.001 et. seq. 578.008).
2.4.P Rights Protection Rule	The MHA complies with Chapter 404, Subchapter E (relating to Rights of Persons Receiving Mental Health Services).
2.5.P Public Responsibility Committee	The MHA has a Public Responsibility Committee which functions in accordance with Chapter 410, Subchapter A (relating to Public Responsibility Committees).
2.6.P Confidentiality Rule	The MHA complies with the individual identifying information requirements specified in Chapter 403, Subchapter K (relating to Client-Identifying Information).
2.7.P Community Center Rule	The MHA is in compliance with Chapter 401, Subchapter G (relating to Community Mental Health and Mental Retardation Centers).
2.8.P Research	If the MHA conducts research, then the research is conducted in accordance with applicable state and Federal laws, such as Title 45, Code of Federal Regulations, Part 46 (Protection of Human Subjects).

CHAPTER 3 — INFORMATION & ACCESSIBILITY

Reference Code O — Outcome P — Process	Standard
3.1.O Satisfaction with Information and Accessibility	Customers (e.g. individuals, families, and referring agencies) report satisfaction with MHA service information, and service accessibility to individuals in the priority population as defined by TDMHMR.
3.2.P Prioritizing Access to Service	The MHA implements written procedures to ensure that individuals in the priority population, as defined by TDMHMR, receive the highest quality of services possible through the use of available resources and are the highest priority for determining access to services without regard to their ability to pay for services.
3.3.P Service Information	The MHA proactively provides information (forums, public meetings, media, education programs) in a format and language that is easily understandable to the individual/community about mental illness, programs and services that are available, and standards related to those services.
3.4.P Cultural Competency	Individuals served receive communication in a language and format understandable to the individual for all services provided through the provision of: <ul style="list-style-type: none"> ▶ interpretive services; ▶ translated materials; and ▶ use of native language and staff.
3.5.P Local Planning	The MHA engages in local planning which: <ul style="list-style-type: none"> ▶ includes the active and ongoing participation of individuals, family members, advocates and other providers or agencies; ▶ establishes local needs and priorities for MH services in the service area; ▶ defines the role of the state facility to support the local MH service delivery system; and ▶ provides input to the development of the TDMHMR Strategic Plan.
3.6.P Charges for Community Services	The MHA complies with Chapter 403, Subchapter B (relating to Charges for Community-Based Services).

CHAPTER 4 – RECORDS ADMINISTRATION

Reference Code P – Process	Standard
4.1.P Record System	The MHA implements a nonduplicative record system which is consistent with CARE, Medicaid, and Medicare requirements and other applicable legal and funding entities.
4.2.P Record Organization/Storage	The MHA implements a record system which maintains the integrity of the record, provides organization of content, storage of records, purging, and use of secondary records.
4.3.P Designated Record Administrator	A record administrator is designated by the MHA. The record administrator is a credentialed medical record practitioner or receives consultation from a credentialed medical record practitioner on at least a quarterly basis.
4.4.P Records Committee	<p>A records committee with representation from various disciplines, services, and record administration:</p> <ul style="list-style-type: none"> ▶ reviews data reflecting the results of clinical records reviews; ▶ approves forms; ▶ recommends modifications to MHA policy, procedure, and documentation practices; and ▶ maintains documentation of follow-up actions taken.

CHAPTER 5 – HUMAN RESOURCES

Reference Code P – Process	Standard
5.1.P System to Ensure Competencies	The MHA implements an ongoing process to insure that all staff (including contract personnel) competencies are commensurate with specific job duties and comply with all relevant requirements.
5.2.P Job Description/ Performance Evaluation Requirements	Job descriptions and performance evaluations are competency based and maintained by the MHA.
5.3.P All Staff Pre-Service	<p>Prior to providing services, staff will demonstrate competency, to be updated annually in:</p> <ul style="list-style-type: none"> ▶ confidentiality; ▶ rights protection and reporting of violations; ▶ client abuse, neglect, and exploitation prevention and reporting; and ▶ MHA procedures for screening and crisis intervention.
5.4.P All Staff Within 60 Days	<p>Within 60 days of employment, staff will demonstrate competency in:</p> <ul style="list-style-type: none"> ▶ individual/family sensitivity which is provided on an ongoing basis by individuals and family members; ▶ basic information about mental illness; ▶ information about treatment and rehabilitative approaches; ▶ various rehabilitative approaches to services; ▶ intervention techniques for management of aggressive behavior; ▶ MHA policies and procedures; ▶ infection control issues including individual responsibilities in implementing the infection control plan and annual update training; and ▶ cultural awareness.
5.5.P Training For Consumers As Employees	When consumers are hired as employees reasonable accommodations, as specified in the Americans With Disabilities Act, are made.
5.6.P Student and Volunteer Training	<p>Pre-service training and annual updates for volunteers and students are provided and documented to include:</p> <ul style="list-style-type: none"> ▶ confidentiality; ▶ rights protection and reporting of violations; and ▶ client abuse, neglect, and exploitation prevention and reporting. <p>Within 60 days of assignment, students and volunteers are provided:</p> <ul style="list-style-type: none"> ▶ individual/family sensitivity which is provided on an ongoing basis by individuals and family members; ▶ orientation training as determined by the MHA; and ▶ any additional service area specific training as determined by the MHA. <p>Volunteers and students who have direct contact with individuals who receive medication are provided training in basic pharmacology including recognition, reporting, and recording of side effects of psychotropic and other medications. This training is provided to volunteers within 60 days of assignment and annually thereafter.</p>

CHAPTER 6 – QUALITY IMPROVEMENT

Reference Code O – Outcome P – Process	Standard
6.1.O Improved Quality of Life	The Quality Improvement process results in improved quality of life for individuals and their families.
6.2.P Data for Quality Improvement	The quality of service delivery is improved by valid data-driven decision making.
6.3.P Quality Improvement Plan	The MHA, in collaboration with individuals and family members, implements a Quality Improvement Plan including a self-assessment, which defines the processes that will be utilized in improving services.
6.4.P Contracts for Services	The Quality Improvement process insures that written contracts between the MHA and contract entities specify: <ul style="list-style-type: none"> ▶ the chapter(s) or standard(s) from the MH Community Services Standards and departmental rules and other applicable documents listed in the current edition of <i>Policy News and Comment</i> for which each contractor is responsible for compliance; and ▶ contract monitoring procedures.
6.5.P Utilization Management	The MHA will have a Utilization Management Program which includes a formal assessment of medical necessity, efficiency and/or appropriateness of services and treatment plans on a prospective, concurrent or retrospective basis.

CHAPTER 7 — SPECIAL TREATMENT PROCEDURES

Reference Code P — Process	Standard
7.1.P Aversive or Highly Restrictive Procedures	Programs which utilize aversive procedures are used only with written approval of the commissioner or the commissioner's designee.
7.2.P Seclusion & Mechanical Restraint	Seclusion and mechanical restraint are utilized only in psychiatric hospitals and crisis stabilization units. Seclusion and brief personal restraint may be used in child/adolescent day programs. Mechanical restraint will not be used in child/adolescent day programs.
7.3.P Behavior Management	The MHA assures that behavior management is conducted in a manner that assures safety and dignity of the individual. An MHA-operated/contracted crisis stabilization unit or psychiatric hospital complies with applicable department rules governing behavior management.
7.4.P ECT Rule	If a form of convulsive therapy is utilized, the MHA complies with Chapter 405, Subchapter E (relating to Electroconvulsive Therapy).

CHAPTER 8 — ENVIRONMENT

Reference Code O — Outcome P — Process	Standard
8.1.O Service Sites and Vehicles	The MHA service sites and vehicles are safe, attractive, comfortable, and appropriate to the needs of the individuals.
8.2.P RDA Requirements	When programs provide meals, menus are nutritionally adequate to meet Recommended Dietary Allowances (RDA) guidelines/requirements, are approved by a registered and/or licensed dietitian, and reflect individual food preference and special dietary needs.
8.3.P Special Diets	Special diets, dietary counseling, and follow-up care are prescribed by a physician in accordance with individual's needs. Special diet menus, dietary counseling, and follow-up are provided by a registered/licensed dietitian as prescribed and documented in the clinical record.
8.4.P Health Inspection	Provider programs which serve or prepare food for 10 or more individuals provide evidence of annual health department inspection. If such inspection cannot be provided by the health department, the MHA provides evidence that the dietitian conducts a comparable inspection.
8.5.P Infection Control Plan	<p>The MHA implements a provider-wide infection control plan approved by a physician which includes prevention, education, management, and monitoring of significant infections. Components addressed in this plan include but are not limited to:</p> <ul style="list-style-type: none"> ▶ prevention and management of infection of staff/provider/consumer in the service delivery environment; ▶ reporting of reportable diseases as defined and required by the Texas Department of Health; ▶ complying with the Human Immunodeficiency Virus Services Act (Texas Health & Safety Code, Section 85.001 et. seq.), the Texas Communicable Disease and Prevention & Control Act (Texas Health & Safety Code, Section 81.001 et. seq.), and other applicable laws (i.e., Americans with Disabilities Act of 1990, Rehabilitation Act of 1973); ▶ complying with relevant parts of Chapter 405, Subchapter L (relating to HIV Prevention, Testing & Treatment); ▶ isolation procedures for individuals with infections treated in provider residential settings; and ▶ identification of illness or conditions which will still allow safe participation in provider programs.

PART III
SERVICE STANDARDS

CHAPTER 9 -- CRISIS SERVICES

Crisis services include:

- a) **Crisis Hotline** A continuously available staffed telephone service providing information, support, intervention, and referrals to callers.

- b) **Mobile Crisis Intervention** A crisis service that is delivered where and when the crisis occurs which assures that persons in crisis are served by mental health professionals.

- c) **Crisis Walk-in Services** Support and intervention offered at an identified location on an unscheduled basis for the purpose of stabilizing or resolving a potential crisis situation preventing the need for more restrictive services.

- d) **Crisis Support Services** Short-term treatment or support offered on a scheduled basis to assist individuals in successfully managing an identified crisis.

- e) **Hospital Services** Services provided in public, private, general, or psychiatric hospitals located in or available to the community.

- f) **Crisis Stabilization Units** A service provided by the MHA which is licensed by Texas Department of Health as an alternative to inpatient hospitalization.

- g) **Crisis Residential/
In-home Services** Crisis resolution in a residential setting such as an existing residential service, foster care, crisis hostel, or a person's home.

Reference Code O — Outcome P — Process	Standard
9.1.O Crisis Resolution	When crisis occurs, the individual's presenting problem is resolved or managed in a way in which the individual, family, and community are safe.
9.2.P Access to Services	Individuals experiencing a psychiatric crisis have immediate access to a continuum of crisis services that meet their needs, ensure their safety, and incorporate their treatment preferences.
9.3.P Follow-up to Referral	When the crisis intervention activity involves referral, follow-up by staff within agreed upon-time frames is evidenced.
9.4.P Documentation of Services	Documentation of crisis services include: <ul style="list-style-type: none"> ▶ date, time, name (if given); ▶ presenting problem; ▶ services requested by the individual; ▶ disposition; ▶ staff involved; ▶ actions used by provider to address the problems presented; and ▶ individual/family response.

9.5.P Communication of Crisis Contacts	Crisis contacts by an individual currently receiving other MHA services are communicated to the continuity of services staff person who will then notify other treatment staff within that same workday or immediately on the next work day.
9.6.P Service Coordination with Law Enforcement	Crisis staff coordinate services with law enforcement and other community entities that interface in crisis situations.

CHAPTER 10 — ASSESSMENT, TREATMENT AND GENERAL MEDICAL CARE

Assessment, treatment and general medical care includes:

- a) **Community-Based Assessment and Treatment Planning** Services for the purpose of prioritized comprehensive collaborative measurable treatment that reflects the needs and wishes of the individual and builds on the strengths of the individual.
- b) **Medication-related Services** Services for the purpose of prescribing, providing, delivering, storing, and administering medications. Services include medication monitoring and response to medications, assessment of symptoms, assessment of impact of medication for the individual and family, laboratory monitoring, pharmacy services, provision of medication, physical examinations, and medication education.
- c) **Counseling Services** Interaction in which the focus is on the treatment of mental illness or emotional disturbance.
- d) **Medical and Dental Services** Provision of or referral for needed medical and/or dental care.
- e) **Partial Hospitalization** Adult structured programming during the day or evening for those who might otherwise require hospital care. Services provided are individual. Group activities and therapies are planned, goal-oriented, time-limited, and specified in an individualized treatment plan taking into consideration individual preferences. Education and training activities include mental health education, medication education, socialization, and daily living skills training.

Reference Code O — Outcome P — Process	Standard
10.1.O Satisfaction with Treatment	As a result of agreed-upon treatment, the individual's needs are addressed and problems are reduced or resolved to his/her satisfaction.
10.2.O Symptom Management	Individuals exhibit the ability to identify, manage symptoms of mental illness, and reduce relapse.
10.3.O Medication Efficacy	Medication regimens are effective in treating the targeted symptoms.
10.4.O Informed Medication Decisions	Individuals understand, participate in, and consent to medication decisions.
10.5.O Improved Functioning	As a result of treatment, individuals demonstrate improvement in carrying out activities of daily living and skills to maintain and improve functioning.

10.6.P Prescribing of Medications Rule	The MHA complies with Chapter 405, Subchapter A (relating to Prescribing of Medications - Mental Health).
10.7.P Interim Plan	Upon admission, the MHA demonstrates that adequate planning and communication occurs with the individual to mutually develop a written interim treatment plan. The plan includes follow-up instructions which facilitates, at a minimum, access to assessments and services. Individuals agree, sign, and receive a copy of the plan on the day of admission.
10.8.P Time Frame Assessment and Treatment Plan	Within 14 calendar days of admission, the QMHP—CS assessment is completed and the results incorporated into the plan.
10.9.P QMHP—CS Performed/ Approved Assessments	The MHA demonstrates that assessments are performed or approved by a credentialed QMHP—CS. Assessments completed by state or private providers within one year prior to admission/readmission to the MHA are reviewed and updated by the MHA and approved by a QMHP—CS.
10.10.P Assessment Documentation	<p>The written assessment includes:</p> <ul style="list-style-type: none"> ▶ identifying data; ▶ eligibility for proposed services ▶ relevant history and present status including needs, educational and employment status, legal, military, developmental and current available social and support systems; ▶ determination of co-occurring substance abuse and mental illness disorders; ▶ relevant past and current medical and psychiatric information and documented diagnosis based on all five DSM-IV axes; ▶ information regarding the individual's preferences for and objections to specific treatments; ▶ the needs and desires of the individual for family involvement in treatment and services; ▶ strengths and natural supports, unmet needs; and ▶ recommendations and conclusions regarding treatment needs. Assessments must be updated as clinically indicated or at least every two years.
10.11.P Case Management Screening	All individuals are screened for the need for case management services within 14 days of admission and when circumstances indicate the need for re-evaluation thereafter. If needed, case management services are provided.
10.12.P Treatment Plan	The treatment plan is based on assessments and is formulated in accordance with the individual's wishes. The treatment plan includes measurable outcomes targeted to identified symptoms/needs, individual functioning treatment intervention, time frames, and responsible staff. If the individual is discharged or absent with assignment from a state facility, then the treatment plan from the facility may be used, but must be reviewed and updated within 14 calendar days of the date of discharge or absent with assignment.

10.13.P Treatment Plan Reviews	The treatment plan, including diagnosis and level of functioning, is reviewed every 90 days or more often as clinically indicated. The plan must be revised as documented objectives are achieved or if there are changes in progress toward achievement of objectives.
10.14.P Progress Notes	There are progress notes which record progress towards outcomes in the treatment plan and other clinically significant activities or events.
10.15.P Collaboration in Treatment	The treatment plan and subsequent reviews address the needs and choices of the individual, reflecting collaboration between the individual and service providers, and is signed by those involved, including the family and/or significant others as authorized by the individual.
10.16.P Discharge Summary	<p>Within 30 calendar days following discharge from the MHA, a discharge summary is entered into the record. The discharge summary includes:</p> <ul style="list-style-type: none"> ▶ date of and reason for discharge; ▶ a detailed summary of MHA services received by the individual since last admission and the response to service(s) provided; ▶ discharge diagnosis by a physician on all five axes; and ▶ referrals made and/or instructions given to the individual/family at discharge.

CHAPTER 11 — SERVICES FOR CHILDREN AND ADOLESCENTS

Services for children and adolescents are services specifically designed for individuals under the age of 18 years. Common characteristics shared by all services for children and adolescents include: the provision of services in the home community, a focus on family strengths, preservation of the family whenever possible, strong linkage to the school and other involved agencies, sensitivity to the social, economic, cultural, and ethnic forces on youth development, and recognition of the necessity of offering a continuum of services.

All requisite, organizational standards, and adult service standards which correspond to services a - s below apply to all children's services as well.

- a) **Crisis In-home Services** Crisis-oriented services to children and families in their own home. Programs are committed to family preservation and include counseling, skill-building, referral, and evaluation. These short-term treatment and support services assist families in the management of an identified crisis and link them to other supportive services when the immediate crisis is resolved.
- b) **Crisis Services** 24-hour-a-day, 365-days-a-year, service for people in severe crisis provided by a 24-hour hotline, mobile unit, or walk-in clinic. Services include close supervision, medical/nursing services, psychiatric assessment, counseling, and referral.
- c) **Day Treatment** An integrated set of educational, counseling, and family interventions. Components include special education, counseling, parent training, vocational training, and skill building. This service may be provided in a variety of settings, including schools, community mental health centers, or hospitals.
- d) **Medication-related Services** Services for the purpose of prescribing, providing, delivering, storing, and administering medications. Services include medication monitoring and response to medications, assessment of symptoms, assessment of impact of medication for the individual and family, laboratory monitoring, pharmacy services, physical examinations, and medication education.
- e) **Family Support Services** Classes/workshops and consultation with family members about the nature of severe emotional disturbance; services assist family members in increasing coping skills and include parent support groups, advocacy, and respite care. Respite care is a brief break from the responsibilities of providing care or from the usual living situation to reduce stress. Services are supportive in nature rather than treatment-oriented and reflect family and individual choice. Service may be provided by introducing respite staff into usual living situations, providing short-term residential placement, providing a place to go during the day, or other services which are considered to provide respite to the care provider.
- f) **Case Management** An aggressive intervention to a limited caseload assuring that people have access to and receive all resources available.

Services provided to assist individuals with severe and persistent mental illness in gaining access to medical, social, educational and other appropriate services that will help them achieve a quality of life and community participation acceptable to each individual.

- g) **Hospital Services/
Crisis Stabilization** Alternatives to long-term inpatient hospitalization; services are provided in crisis stabilization units, staffed residences, or beds in private or public hospitals.

- h) **Assessment Services** Professional determination of an individual/family's problems; may involve a wide range of tools including physical exams, psychological tests, or assessments of academic, social, family, or behavioral functioning.

- i) **Therapeutic Foster Care** 24-hour specialized living arrangements for children unable to live with their parents. Services provide a family living environment with foster parents specifically recruited and trained in treatment.

- j) **Psychosocial Rehabilitation** An array of programs to enhance the individual's network of social supports, improve independent living skills, and provide vocational development.

- k) **Substance Abuse Treatment** Outpatient services provided by a TCADA-licensed or TCADA-certified provider or other authorized provider, e.g., physician, to mentally ill children and adolescents with substance abuse problems.

- l) **School-related Family Support** Family counseling, parent support groups, advocacy, and respite care provided by mental health staff placed in school settings primarily for the purpose of supporting families.

- m) **Counseling** Office-based services that focus on the treatment of emotional disturbances.

- n) **School-based Counseling** School-based services that focus on the treatment of emotional disturbance for children and adolescents who are part of the priority population.

- o) **School-based Substance
Abuse Treatment** School-based services that focus on the treatment of substance abuse problems by a licensed TCADA provider. Services are delivered to children and adolescents who are a part of the priority population.

- p) **Foster Group Home** 24-hour specialized living arrangements for small groups of children unable to live with their parents. Services provide a family living environment with foster parents specifically recruited and trained in treatment.

- q) **Other Residential** Other 24-hour residential services such as residential treatment centers.

- r) **In-home Intervention Services** Multi-faceted outreach services in the individual's own home; committed to family preservation, caseloads permit active involvement, and comprehensive coordination of all needed services with family.

- s) **Prevention/Early Intervention
Program** Preventive services provided to families and communities through specialized programs such as parenting programs, community forums, or other educational programs.

Reference Code O – Outcome	Standard
11.1.O Improved Behavioral Functioning	Children and adolescents improve in behavioral and emotional functioning.
11.2.O Improved School Functioning	Children and adolescents whose mental illness has contributed to problems at school improve in school functioning.
11.3.O Satisfaction with Services	As a result of agreed-upon treatment, the individual's needs are addressed and problems reduced or resolved to the satisfaction of the individual and his/her family.
11.4.O Satisfaction with Access	Individuals and families report satisfaction regarding the assistance provided by the MHA to access community resources.

CHAPTER 12 — SUPPORTS TO INDIVIDUALS

Supports to individuals include:

- a) **Consumer Advocacy Network** Activities supported by the MHA to assist individuals in exercising their rights and making choices. Services include provision of rights and program services information, referral to outside consumer advocacy groups and activities, and self or peer advocacy training.

- b) **Peer Support Services** Voluntary, consumer-motivated and/or initiated and/or managed support activities provided between and among individuals who have common issues or needs. Examples include self-help supports groups, peer counseling, and peer support services.

Reference Code O — Outcome P — Process	Standard
12.1.O Advocacy Skills Improvement	Individuals participating in self-directed advocacy improve their ability to make their own choices and decisions.
12.2.O Peer Support Report of Benefits	Individuals report positive benefits from peer support activities.
12.4.P Program Support of Advocacy & Peer Support	Provider program provides ongoing encouragement and support of consumer advocacy and peer support activities. Support includes space for meetings, training opportunities, and sponsorship of consumer-run activities.

CHAPTER 13 - SUPPORTS FOR FAMILIES

Supports for families includes:

- a) **Family Education and Training Services** Classes/workshops and individual consultations which provide information to families regarding the nature and effects of, and treatment options for, severe and persistent mental illness. This education and training is designed to increase family coping skills.

- b) **Respite Services** A brief break from the responsibilities of providing care or from the usual living situation to reduce stress. Services are supportive in nature rather than treatment-oriented and reflect family and individual choice. Service may be provided by introducing respite staff into usual living situations, providing short-term residential placement, providing a place to go during the day, or other services which are considered to provide respite to the care provider.

Reference Code O — Outcome P — Process	Standard
13.1.O Family Knowledge and Coping	Education/training increase families knowledge of mental illness, treatment options, and coping skills.
13.2.O Respite Services	Respite services reduce stress within the family system.
13.3.O Satisfaction With Support Facilitation	Families report satisfaction with the education/training and respite services they receive and the MHA's facilitation of their participation.
13.4.P Identification of Family Needs	The MHA implements a method of identifying families at both admission and throughout the course of service who need training, education, and support services and then ensures that these services are provided.
13.5.P Family Involvement and Input	Families are directly involved in the design and implementation of education/training, support, and respite services.

CHAPTER 14 — PSYCHOSOCIAL REHABILITATION SERVICES

Psychosocial Rehabilitation services includes:

- a) **Education Services** Provision of or assistance in accessing education services such as special education, basic literacy, GED (General Equivalency Diploma), training in the preparation and study for college, university and graduate degrees, technical education, or other courses.

- b) **Skills Training Services** Training of those skills in which the primary focus is to further an individual's independent living and community skills. This training promotes community integration, increases community tenure, and maintains the individual's quality of life. This service includes activities and training designed to address the illness or symptom related problems and behaviors that the mental illness creates which precludes a person functioning in their living, learning and working environment. This training should occur within a natural setting whenever possible in order to further the skill acquisition and community inclusion.

- c) **Vocational Training** Training in which the primary focus is to further an individual's employment goals. Services may include job development, placement, coaching, follow-along, and on-the-job skills training.

- d) **Socialization Services** Activities designed to enhance interpersonal relationships/social skills and the ability to participate in leisure time activities. Socialization activities are consistent with those of the general public, are selected and planned by individuals and include social interaction, relaxation, and fun.

Reference Code O — Outcome	Standard
14.1.O Satisfaction with Skill Development Services	Individuals report satisfaction with the array and quality of services offered to achieve desired skills, vocational goals, and education.
14.2.O Skill Development	Individuals develop the skills needed to live in their chosen environment.
14.3.O Achievement of Work Skills	Individuals achieve the education and develop the skills needed to work in their chosen career.
14.4.O Adequate Support for Employment	Individuals secure and maintain the employment of their choice, with ongoing support as needed.
14.5.O Socialization Skills Improvement	Individuals receiving socialization services demonstrate enhanced social and leisure skills.

CHAPTER 15 - CONTINUITY OF SERVICES

Continuity of services includes:

- a) **Case Management Services** Services provided to assist individuals with severe and persistent mental illness in gaining access to medical, social, educational and other appropriate services that will help them achieve a quality of life and community participation acceptable to each individual.
- b) **Care Coordination Services** Facilitation of access to and receipt of resources and services as needed and coordination as the individual moves between levels of care.
- c) **General Support Services for Families** A variety of MHA-coordinated activities to guide families through the MH service delivery system.

Reference Code O — Outcome P — Process	Standard
15.1.O Satisfaction with Coordination of Service	Individuals, families, and community agencies report satisfaction with the coordination of services.
15.2.O Education/Skills to Access Community	Individuals and families report that they receive the support, education, and skills training needed to access community resources.
15.3.O Quality of Life	Individuals and families report enhanced quality of life.
15.4.P Service Coordinator Assignment	Coordination of services is provided by a single continuity of services staff person (CSSP) responsible for each individual served across all programs as provided by the MHA. For individuals assigned a case manager, the case manager serves as the continuity of services staff person.
15.5.P Treatment Planning	The continuity of services staff person facilitates the individual's treatment planning process and implementation including the involvement of the individual, all service providers and families.
15.6.P Information Transmittal	When the individual moves between services, continuity is ensured through planning-linking activities, support services, and information provided to all parties as authorized by the individual.
15.7.P Rules Compliance	The MHA complies with Chapter 402, Subchapter B (relating to Continuity of Services — Mental Health).
15.8.P Case Management Operating Instructions	The MHA complies with Case Management Operating Instructions (401-2).

CHAPTER 16 — HOUSING & RESIDENTIAL SERVICES

Housing and residential services include:

- a) **Treatment Training Residences** Living environments in which the focus is on treatment and training to facilitate residents in moving to their chosen environment within specified time frames.

- b) **Assisted Living Services** Safe living environments in which individuals are not required to participate in prescribed treatment, programs, or activities as a condition of residency. Services provided include assistance with ADL's and/or related supports or services consistent with the clinical need and stated preference of the individual. Such settings and services may facilitate residents in moving to their preferred environment or may be the long term residence of choice and clinical need.

- c) **Supported Housing** Services that provide individualized assistance in choosing and obtaining regular, integrated housing in the community and long term supports provided by identifies staff that include, but are not limited to, case management and in-home rehabilitation services to assist individuals in maintaining stable housing. Services may include the provision of housing assistance funds.

Reference Code O — Outcome P - Process	Standard
16.1.O Satisfaction with Support Services for Living Environments of Choice	Individuals express satisfaction with supports that allow them to live in the environment of their choice.
16.2.O Satisfaction with Services for Living Environment of Choice	Individuals express satisfaction with the residential services which allow them to live in the environment of their choice.
16.3.P Residential/Housing Supports	Individuals in residential and housing services receive necessary supports and services to facilitate moving to their preferred living environment.

PART IV
GLOSSARY

A

abuse	Any act or failure to act, done knowingly, recklessly, or intentionally, including incitement to act, which causes or may cause major or minor physical and/or emotional injury to a person receiving services from a TDMHMR facility or community MHMR center. This includes exploitation and sexual activity between an employee and the individual receiving services.
access	An individual's ability to obtain services to achieve the best possible outcomes. Barriers to access may be structural, financial, or personal. The ease of access is determined by components such as availability of services, their acceptability to individuals, transportation, hours of operation, language, and cultural competencies.
accreditation	Independent, third-party process for evaluation of the quality of an provider's services using nationally recognized standards. An example is the process by which health facilities are surveyed and approved by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO).
adolescents	Persons aged 13 to the 18th birthday.
advocacy	The act of representing one's own or another's interests publicly (i.e., consumer advocate).
all staff	All categories of personnel (full-time, part-time, and contract employees, and if the MHA contracts with providers for a service, then the contract provider staff who deliver services to individuals).
assessment	The clinical process of obtaining and evaluating historical, social, functional psychiatric, developmental, or other information from the individual seeking services. This information is used to formulate recommendations for services and treatments.
aversive procedures	Procedures in which an undesirable behavior targeted for reduction or elimination is followed systematically by presentation of an aversive stimulus, placement in a locked time-out room, contingent physical restraint, or requirement to engage in an effortful task.

B

behavior management	Interventions to increase socially adaptive behavior and to modify maladaptive or problem behaviors and replace them with behaviors and skills that are adaptive and socially productive.
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C

CARE (Client Assignment and Registration System)	TDMHMR's centralized, confidential client data base, that registers and tracks individuals receiving services throughout the service delivery system. CARE uses unique, statewide identification numbers to collect, maintain, and report information for each person served.
case management	Services that are provided to assist individuals with severe and persistent mental illness in gaining access to medical, social, educational, and other appropriate services which will help them achieve a quality of life and community participation acceptable to each individual.
case manager	A person who supports and assists an individual in achieving personal goals.
children	Persons aged 0 to the 13th birthday.
clinical record	The systematic, organized compilation of information relevant to the services provided to an admitted individual.
competency	Standards of measurement of the attitudes, knowledge, and skills of all staff.
consumer	An individual receiving services funded by TDMHMR and the individual's family are consumers. The individual who has received or is receiving services may be a primary consumer, while family members or friends of primary consumers who indirectly benefit from the delivery of services may be secondary consumers. Other terms used are "client," "patient," "person," "individual," and "person or individual receiving services."
consumer-managed or consumer-run alternatives	Services planned, administered, delivered, and evaluated by persons who have received or are receiving services. An example is a drop-in center which offers a variety of services such as crisis intervention, socialization, mutual support groups, and education.
continuity of services	Activities undertaken to ensure coordination of services to individuals between components in the TDMHMR service system and within each provider network. The process provides continuity over time among the assessment and diagnosis, planning, and treatment phases of services. The process provides for coordination at the time, referral, transfer, or discharge of the individual to another level of care, health professional(s), or setting(s), based on the individual's assessed needs.
continuity of services staff person	A staff person specifically designated by the MHA to be the most knowledgeable about and conduct continuity of services activities for an individual.
contract monitoring	The process of overseeing and regulating written agreements, enforceable by law, between local MHAs and providers. The local MHA ensures that providers are meeting all TDMHMR requirements.
contract personnel	See "all staff."

core services	<p>The Texas Mental Health and Mental Retardation Act (Texas Health and Safety Code, §534.053) requires TDMHMR to ensure the following services are available throughout the state:</p> <ul style="list-style-type: none"> ▶ community-based crisis residential services or hospitalization; ▶ 24-hour emergency screening and rapid crisis stabilization services; ▶ community-based assessment, including development of interdisciplinary treatment plans, diagnosis and evaluation services, and family support services, including respite care; ▶ medication-related services, including medication clinics, laboratory monitoring, medication education, mental health maintenance education, and the provision of medication; ▶ psychosocial rehabilitation programs, including social support activities, community living skills, and vocational training; and ▶ case management services.
credentialing	A process of review to approve a provider as adequately prepared to provide clinical services. Specific criteria and prerequisites are applied to determine initial and ongoing competency.
crisis stabilization unit (CSU)	A program provided directly or by contract with a MHA which offers 24-hour residential services that are usually short-term and are offered to persons who are demonstrating psychiatric crisis. CSUs are licensed by Texas Department of Health and must comply with the provisions of Chapter 401, Subchapter K (relating to Licensure of Crisis Stabilization Units).
cultural competency	A goal or developmental process in which professionals, agencies, and systems come together in order to provide effective and quality services to multicultural populations.

D

data-driven decision-making	Decision-making supported by analysis and interpretation of data.
direct care staff	Any employee (full-time, part-time, temporary, contract, or contract provider) whose primary role and function is to provide continuing contact with individuals receiving services.
discharge	The termination of treatment by a provider which denotes the end of active treatment.
DSM-IV (Diagnostic and Statistical Manual of Mental Disorders)	The American Psychiatric Association's official classification of mental disorders, revised in 1994.

F

face-to-face	In person.
Family Support Services	Services providing information, education, support, and counseling to family members through sponsoring advocacy meetings, self-help groups for family members, and counseling. All of these activities promote improved coping and problem-solving skills on the part of the family, strengthen constructive bonding within the family, and provide the opportunity for sharing of emotional support among families.

I

identifying data	The name, address, social security number, or any information by which the identity of an individual can be determined either directly or by reference to other publicly available information. The term includes, but is not limited to, medical records, graphs, or charts; statements made by the individual either orally or in writing while receiving services; videotapes, photographs, etc.; and any acknowledgement that an individual is receiving or has received services from a facility, community center, or other designated provider. The term does not include an identifying number assigned by a facility. The statutes, regulations, and rules requiring that identifying data be kept confidential apply regardless of the means or methods used to store and retrieve the information.
immediate crisis screening/ QMHP—CS assessment	Immediate means as soon as possible but in no case later than one hour.
individual	See "consumer."
interim plan	The initial treatment plan completed by the MHA and the individual upon admission to services at a new MHA or upon transfer from one MHA to another. The plan is written in clear, straightforward language which provides the individual with necessary information and provides guidance for the staff.

M

mechanical restraint	The application of a physical device to restrict the movement of the whole or a portion of a person's body, except as part of a normal medical or dental procedure and for bodily support and positioning.
Mental Health and Mental Retardation Act	Texas Health and Safety Code, Part 1, Chapters 531-554, also known as "House Bill 3," the act that established the Texas Department of Mental Health and Mental Retardation. Portions of the act address organization of the agency, operation of facilities, establishment of community MHMR centers, and provision of community-based services.
mental health authority (MHA)	A mental health component designated by TDMHMR to carry out the legislative mandate to provide certain core mental health services and coordinate continuity of services to individuals who are members of TDMHMR's defined priority population. (See Texas Health and Safety Code, §532.001.) TDMHMR designates one MHA for each local service area.
mental illness	An illness with psychologic or behavioral manifestations and/or impairment in functioning due to a social, psychologic, genetic, physical/chemical or biologic disturbance.

O

outcome	For people — results of supports and services that reflect the individuals desires and expectations. For organizations — results of processes that assist individuals in achieving their desires and expectations and reflect the funding sources and communities expectations.
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P

personal restraint	The application of physical pressure to a person's body in such a way as to restrict the movement of the whole or a portion of his or her body for a period in excess of five minutes, except as part of a normal medical or dental procedure.
planning-linking activities	Those activities which facilitate communication between the individual, the MHA, and providers, to assure the coordination and delivery of services.
Protection and Advocacy for Individuals with Mental Illness Act (PAIMI)	The Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. §10802) was enacted to guarantee the rights of individuals with mental illness in 24-hour residential facilities. Advocacy, Inc. assists such individuals in ensuring their legal and human rights through education and training programs, as well as monitoring several state hospitals and other residential facilities. Advocacy, Inc. works with various mental health organizations, consumer and family groups, and legislators to bring about systemic changes.
provider	Any individual or organization that provides a mental health care service.

<p>qualified mental health professional — community services (QMHP—CS)</p>	<p>An individual providing mental health services who has one of the following qualifications:</p> <ul style="list-style-type: none"> ▶ a physician, licensed by the Texas Board of Medical Examiners as defined in Texas Civil Statutes, §4495b. ▶ a licensed or certified psychologist, or psychological associate as defined in Texas Civil Statutes, §4512c. ▶ a licensed professional counselor as defined in Texas Civil Statutes, §4512g. ▶ an advanced clinical practitioner with or without private practice recognition, certified social worker, social worker, or social worker associate as defined in the Human Resources Code, Chapter 50. ▶ a registered nurse as defined in Texas Civil Statutes, §4518. ▶ for services provided to individuals with alcohol and other drug abuse disorders, a licensed chemical dependency counselor (LCDC) or a Certified Alcohol and Substance Abuse Counselor (CDAC), as defined by the Texas Association of Alcohol and Drug Abuse Counselors. ▶ an individual who is privileged by the MHA based on education, experience, and demonstrated competency, with a minimum of: <ul style="list-style-type: none"> • a bachelor's degree in a human services-related field, which includes psychology, social work, medicine, nursing, rehabilitation, counseling, sociology, human development, gerontology, and educational psychology. Human services-related field does not include criminal justice, education, business, and social science; • non-related bachelor's degree with 2 years experience in either mental health services or human services; • an associate degree in a human services-related field and three years experience in mental health services, including paid experience gained in a mental health service setting. Mental health experience must include assessment and plan of care development. Mental health experience does not include clerical positions in mental health setting, MR Aide, teacher's aide, etc.; • five years of mental health experience; or • combination of years of experience and education. One year of human services-related experience (includes professional, direct care experience gained in a recognized human service setting under professional supervision) may substitute for each year of the required education. Does not include teaching or law enforcement agencies unless the setting is serving special populations. <p>Nothing in this definition should be construed to exempt any individual who qualifies as a "Mental Health Professional" from complying with licensing, certification, registration, or regulatory standards, administrative rules or standards that would otherwise apply to the individual.</p>
<p>Restrictions</p>	<p></p>
<p>quality improvement</p>	<p>A continuous process that identifies problems in mental health care delivery, tests solutions to those problems, and constantly monitors the solutions for improvement.</p>

R

rule	Any departmental statement filed with the <i>Texas Register</i> that implements, interprets, or prescribes law or policy, or described procedure or practice requirements that are in the public interest or that affect private rights or procedures. The term includes amendment or repeal of a prior rule, but does not include statements concerning only the internal management or organization of the department (directives) or required technical operating procedures (manuals) that do not affect private rights.
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S

seclusion	Confinement of the individual alone in a locked room or alone in another isolated area from which egress is prevented.
self-assessment for quality	A measurement of the degree the individual and organizational outcomes and compliance with all applicable laws, standards and rules are achieved, by ensuring reliability and validity of data collection and analysis and consideration of efficiency and effectiveness of assessment methods. Self-assessment should involve all stakeholders including individuals and family and occur with frequency.
sensitivity training	Training in the awareness of the needs and emotions of others.
staffing	A meeting among two or more interdisciplinary team members, the individual receiving services, and/or the individual's parents or guardian, when appropriate, to identify and/or review the needs of the individual and to develop or amend a plan for services (e.g., individual program plan) to meet those needs.
Support to Individual Services	A range of services which provide opportunities for advocacy, peer support socialization, and supported housing to the individual receiving services.
support services	Any service or activity which enable individuals to live as independently as possible.
supported employment	Services with the capacity to provide individualized assistance in choosing and obtaining employment, integrated work sites in regular community jobs, and long-term supports provided by identified staff who will assist in keeping employment and/or finding another job as necessary.

T

<p>Texas Department of Mental Health and Mental Retardation (TDMHMR)</p>	<p>The agency established by the state legislature in 1965 to support, promote, and provide a variety of services to Texas citizens in the areas of mental health, mental illness, and mental retardation.</p>
<p>treatment plan</p>	<p>The plan which an individual and his/her provider develop, based on assessments to address the problems, goals, and direction of service delivery. The treatment plan includes measurable outcomes targeted to identified symptoms/needs, individual functioning treatment intervention, time frames, and responsible staff.</p> <p>Throughout the process of hospitalization and transfer to the community, the treatment plan evolves in several distinct phases, each addressing the particular needs which are primary at that particular time. Those phases are referred to as:</p> <ul style="list-style-type: none"> ▶ Inpatient phase — The treatment plan is developed and/or reviewed and revised by the treatment team of the individual (of which the individual is a member). The review generally focuses on addressing the alleviation of those symptoms of mental illness which have led to hospitalization and supporting the individual's motivation and capacity to experience further growth in community-based treatment programs. ▶ Transition phase — The treatment plan is reviewed and revised jointly by the facility, MHA, individuals, and others, as appropriate, prior to the absence for trial placement or discharge of the individual by a state facility to ensure linkage to an appropriate service delivery system. The needs addressed during the review are based on those identified during the inpatient phase, but generally focus on transition issues. In addition, the transition phase ensures the documentation of information about the individual's MHA liaison, follow-up appointments, and identification of a location to which the individual will be discharged/absent for trial placement. ▶ Community support phase — The treatment plan is reviewed and revised by the MHA and the individual within three weeks of his/her discharge or absence for trial placement. The needs addressed during the review are based on those identified during the transition phase, with consideration of any issue that has arisen since discharge.

U

<p>utilization management</p>	<p>Utilization management is a process of integrating review and case management of services in a cooperative effort with other parties including consumers, employers, providers, and payers.</p>
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PART VI
APPENDIX

**APPENDIX 1
MH SERVICE ARRAY
ADDITIONAL SERVICE DEFINITIONS**

Although no outcome or process standards have been developed for the following, requisite and organizational standards apply to the provision of these services.

Assertive Community Treatment, Supported Employment, and Supported Housing have been identified by TDMHMR as Best Practices for the 1995 - 1996 fiscal year.

1. **Screening Services** — The initial point of contact, by telephone or in person, that an individual makes with an MHA or provider. Screening is a process designed to determine what is requested, the needed level of care, and eligibility for services or referral.
2. **Assertive Community Treatment (ACT)** — Services which assume the full responsibility for comprehensive treatment for persons with severe and persistent mental illness and a history of multiple hospitalization, involvement with the Judicial system, homeless Shelters, or Community Residential Homes.
3. **Supported Employment** — Services containing the capacity to provide individualized assistance in choosing and getting employment, integrated work sites in regular community jobs, and long-term supports provided by identified staff who will assist in keeping employment and/or finding another job as necessary.
4. **In-Home and Family Support or TDMHMR In-Home and Family Support Program** — The program developed in response to House Bill 1154 and Appropriations Rider 33 of the 70th Texas Legislature, the purpose of which is to foster independent choice by individuals with a mental disability in the selection of services to be provided; to assist such individuals to be able to live independently in situations most like those experienced by persons without disabilities; to uphold the value of the family and the human dignity, pride, and independence of the individual; and to recognize the family as the primary mainstay for many individuals with mental disabilities. The program enables flexibility in service delivery; innovation in service provision; minimization of barriers to service accessibility; placement of accountability for quality in the control of the individual and/or family and the local provider; and non-duplication of services. The program does not serve individuals with developmental disabilities who do not otherwise meet the definition of "person with a mental disability," as defined in Chapter 401, Subchapter L (relating to TDMHMR In-Home and Family Support Program). Such persons may be eligible for services through the in-home and family support program of the Texas Department of Human Services (TDHS).

Texas Workers' Compensation Commission Figure 1: 28TAC § 134.1002 (f)(3)(A)

DIAGNOSIS	
Tendinitis Stenosing Tenosynovitis Musculotendinitis Musculotendinous Problems	
ICD-9 DIAGNOSIS CODES (May include but not limited to)	
726.4	Bursitis of hand/wrist, peri-arthritis of wrist
726.90	Capsulitis, peri-arthritis, tendinitis
727.03	Trigger finger
727.04	DeQuervain's disease, radial styloid tenosynovitis
727.05	Other tenosynovitis of hand and wrist

PRIMARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) History: <ol style="list-style-type: none"> a) repetitive motion; force b) acute injury with early positive response to treatment 2) Physical findings: <ol style="list-style-type: none"> a) no urgent surgical indicators b) no significant structural pathology suggesting surgical solutions c) swelling, pain, and tenderness 3) Post acute or chronic patient with acute exacerbation.
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Acupuncture Analgesics Antibiotics (with secondary infection) Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids and/or analgesics (If further injections are required beyond the first three (3) injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 2: 28TAC § 134.1002 (f)(3)(B)
(Diagnosis: Tendinitis, Stenosing Tenosynovitis, Musculotendinitis - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Continued, persistent, and intermittent symptoms. 2) Limited-to-good response to primary treatment.
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan (confirmatory test) Electromyogram (EMG)/nerve conduction studies (NC) (confirmatory test) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids and/or analgesics (If further injections are required beyond the first three (3) injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program <ol style="list-style-type: none"> 1) Work conditioning 2) Work hardening
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications

Texas Workers' Compensation Commission Figure 3: 28TAC § 134.1002 (f)(3)(C)

Diagnosis: Tendinitis, Stenosing Tenosynovitis, Musculotendinitis - continued

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Chronic, persistent, and recurring symptoms. 2) Documented history of persistent failure to respond to nonoperative/operative treatment.
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan (confirmatory test) Electromyogram (EMG)/nerve conduction studies (NC) (confirmatory test) Magnetic resonance imaging (MRI) (confirmatory test) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Functional capacity evaluation (FCE) Interdisciplinary program <ol style="list-style-type: none"> 1) Chronic pain management 2) Outpatient medical rehabilitation Job site analysis Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

Texas Workers' Compensation Commission Figure 4: 28TAC § 134.1002 (f)(4)(A)

(4) Elbow Treatment Tables

DIAGNOSIS	
<p>Musculotendinitis/Tendinitis: Lateral Epicondylitis Medial Epicondylitis Musculotendinous and Periarticular Problems of the Elbow</p>	
ICD-9 DIAGNOSIS CODES (May include but not limited to)	
<p>726.31 - Medial epicondylitis 726.32 - Lateral epicondylitis, golfer's elbow, tennis elbow, epicondylitis</p>	

PRIMARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<p>1) History:</p> <ul style="list-style-type: none"> a) insidious onset, but may be provoked by acute trauma b) pain with radiation into forearm with extension, flexion, or supination c) burning that may radiate d) possible loss of grip strength due to pain with grip <p>2) Physical findings:</p> <ul style="list-style-type: none"> a) point tenderness over epicondyles and associated tendons b) reproduction of pain c) reduced grip strength due to pain with normal elbow motion d) swelling e) no urgent surgical indicators f) no significant structural pathology suggesting surgical solutions <p>3) Post acute or chronic patient with acute exacerbation</p>
DIAGNOSTIC PROCEDURES: (May include but not limited to)	<p>Physical examination Plain x-rays</p>
TREATMENT INTERVENTIONS: (May include but not limited to)	<p>Acupuncture Analgesics Antibiotics (with secondary infection) Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids and/or analgesics (If further injections are required beyond the first three (3) injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy</p> <ul style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ul style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 5: 28TAC § 134.1002 (f)(4)(B)

(Diagnosis: Musculotendinitis/Tendinitis: Lateral Epicondylitis, Medial Epicondylitis - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Continued, persistent, and intermittent symptoms 2) Limited-to-good response to primary treatment.
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan (confirmatory test) Electromyogram (EMG)/nerve conduction studies (NC) (confirmatory test) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids and/or analgesics (If further injections are required beyond the first three (3) injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program 1) Work conditioning 2) Work hardening
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications

Texas Workers' Compensation Commission Figure 6: 28TAC § 134.1002 (f)(4)(C)
(Diagnosis: Musculotendinitis/Tendinitis: Lateral Epicondylitis, Medial Epicondylitis - continued)

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Chronic, persistent, and recurring symptoms 2) Documented history of persistent failure to respond to nonoperative/operative treatment.
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan (confirmatory test) Electromyogram (EMG)/nerve conduction studies (NC) (confirmatory test) Mental health evaluation/assessment Magnetic resonance imaging (MRI) (confirmatory test) Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Functional capacity evaluation (FCE) Interdisciplinary program <ol style="list-style-type: none"> 1) Chronic pain management 2) Outpatient medical rehabilitation Job site analysis Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

DIAGNOSIS

Olecranon Bursitis
Olecranon Impingement

ICD-9-CM Diagnosis Codes
86.12-86.13, 86.14

726.33 Bursitis of elbow

PRIMARY LEVEL OF CARE

DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) History: <ol style="list-style-type: none"> a) Generally insidious onset but may be due to an episode of acute trauma b) Pain over olecranon process c) Limitation or restriction of flexion/extension due to pain or swelling 2) Physical Findings: <ol style="list-style-type: none"> a) Distended olecranon bursa b) Mild to severe pain over bursa c) With posttraumatic infection, redness and heat over bursa and a purulent tap 3) No urgent surgical indicators on physical examination 4) No significant structural pathology suggesting surgical solutions
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Aspiration; culture Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Acupuncture Analgesics Antibiotics (with secondary infection) Aspiration Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids and/or analgesics (If further injections are required beyond the first three (3) injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 8: 28TAC § 134.1002 (f)(4)(E)
 (Diagnosis: Olecranon Bursitis, Olecranon Impingement - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Continued, persistent, and intermittent symptoms 2) Limited-to-good response to primary treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram (confirmatory test) Biofeedback/behavioral pain management evaluation Bone scan (confirmatory test) Mental health evaluation/assessment Physical examination Plain x-rays Tomogram
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Aspiration Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids and/or analgesics (If further injections are required beyond the first three (3) injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program 1) Work conditioning 2) Work hardening
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications

as Workers' Compensation Commission Figure 9: 28TAC § 134.1002 (f)(4)(F)
 Diagnosis: Olecranon Bursitis, Olecranon Impingement - continued)

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	1) Chronic, persistent, and recurring symptoms 2) Documented history of persistent failure to respond to nonoperative/operative treatment.
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram (confirmatory test) Biofeedback/behavioral pain management evaluation Bone scan (confirmatory test) Magnetic resonance imaging (MRI) (confirmatory test) Mental health evaluation/assessment Physical examination Plain x-rays Tomogram
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Aspiration Biofeedback/behavioral pain management/relaxation training Functional capacity evaluation (FCE) Injection/aspiration with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Interdisciplinary program 1) Chronic pain management 2) Outpatient medical rehabilitation Job site analysis Limited oral corticosteroids Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

Texas Workers' Compensation Commission Figure 10: 28TAC § 134.1002 (f)(5)(A)

(5) Shoulder Treatment Tables

DIAGNOSIS	
Tendinitis: Bicipital Supraspinatus (rotator cuff) Musculotendinous and Periarticular Problems of the Shoulder	
ICD-9 DIAGNOSIS CODES (May include but not limited to)	
726.10 - Rotator cuff, supraspinatus syndrome 726.12 - Bicipital tenosynovitis	

PRIMARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Pain with overhead activity 2) Pain with resisted supination 3) Night pain 4) No evidence of cervical spine pathology
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Acupuncture Analgesics Antibiotics (with secondary infection) Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 11: 28TAC § 134.1002 (f)(5)(B)
(Diagnosis: Tendinitis: Bicipital, Supraspinatus (rotator cuff) - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Continued, persistent, and intermittent symptoms 2) Limited-to-good response to primary treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Biofeedback/behavioral pain management evaluation Bone scan (confirmatory test) Electromyogram (EMG)/nerve conduction studies (NC) (confirmatory test) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Functional capacity evaluation (FCE) Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program 1) Work conditioning 2) Work hardening
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications

Texas Workers' Compensation Commission Figure 12: 28TAC § 134.1002 (f)(5)(C)
(Diagnosis: Tendinitis: Bicipital, Supraspinatus (rotator cuff) - continued)

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Chronic, persistent, and recurring symptoms 2) Documented history of persistent failure to respond to nonoperative/operative treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan (confirmatory test) Electromyogram (EMG)/nerve conduction studies (NC) (confirmatory test) Magnetic resonance imaging (MRI) (confirmatory test) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Functional capacity evaluation (FCE) Interdisciplinary program <ol style="list-style-type: none"> 1) Chronic pain management 2) Outpatient medical rehabilitation Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

Texas Workers' Compensation Commission Figure 13: 28TAC § 134.1002 (f)(5)(D)

DIAGNOSIS	
Rotator Cuff: Sprain/Strain Tear Shoulder Impingement Syndrome	
ICD-9 DIAGNOSIS CODES (May include but not limited to)	
840.4	Strain/sprain rotator cuff
726.2	Periarthritis of shoulder, scapulohumeral fibrositis

PRIMARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) History/Impingement syndrome and similar disorders: a) Symptoms may be gradual in onset or may be more immediate b) May be exacerbated by extremes of shoulder motion and sleeping on the affected extremity c) Pain on abduction of the affected shoulder which may limit active abduction and rotation d) Difficulty abducting the affected shoulder e) Pain in area of acromial process, typically without radiation 2) History/Rotator cuff tear a) May be acute or degenerative; onset commonly insidious b) Severe direct trauma to shoulder (acute) c) Pain on abduction of shoulder, with limited motion d) Inability to abduct the arm e) Pain over the tip of the shoulder f) Abduction and rotation of shoulder may be limited g) Failure of conservative therapy of other shoulder disorders 3) Physical Findings/Impingement syndrome and similar disorders: a) Tenderness over the humeral head or bicipital groove b) Tenderness on palpation of the coracoacromial joint c) Reproduction of symptoms with passive motion of the shoulder d) Decreased range of motion in cross body adduction and internal rotation e) Crepitus or popping with extension and flexion 4) Physical Findings/Rotator cuff tear a) Reproduction of symptoms with passive motion of the shoulder b) Inability to initiate or maintain abduction c) Tenderness of anterior rotator cuff (tip of shoulder) to palpation d) Atrophy of muscles of shoulder girdle if chronic and motion is painful or limited
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Magnetic resonance imaging (MRI) Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Concurrent home program Functional capacity evaluation (FCE) Immobilizer/sling as indicated Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints/casts Outpatient evaluation and therapy 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modification

Texas Workers' Compensation Commission Figure 14: 28TAC § 134.1002 (f)(5)(E)
(Diagnosis: Rotator Cuff: Sprain/Strain, Tear, Shoulder Impingement Syndrome - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Continued, persistent, and intermittent symptoms 2) Limited-to-good response to primary treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Biofeedback/behavioral/pain management evaluation Magnetic resonance imaging (MRI) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral/pain management/relaxation training Concurrent home program Functional capacity evaluation (FCE) Immobilizer/sling as indicated Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints/casts Outpatient evaluation and therapy 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program 1) Work conditioning 2) Work hardening
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications

Texas Workers' Compensation Commission Figure 15: 28TAC § 134.1002 (f)(5)(F)

Diagnosis: Rotator Cuff: Sprain/Strain, Tear, Shoulder Impingement Syndrome - continued)

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	1) Chronic, persistent, and recurring symptoms 2) Documented history of persistent failure to respond to nonoperative/operative treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Biofeedback/behavioral pain management evaluation Magnetic resonance imaging (MRI) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Functional capacity evaluation (FCE) Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Interdisciplinary program 1) Chronic pain management 2) Outpatient medical rehabilitation Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints/casts
	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

Texas Workers' Compensation Commission Figure 16: 28TAC § 134.1002 (f)(6)(A)
(6) Upper Extremities Treatment Tables

DIAGNOSIS	
Neuropathy	
JOINT DIAGNOSIS CODES (May include but not limited to)	
353.0	Brachial plexus disorder, cervical rib syndrome, thoracic outlet syndrome, costoclavicular, scalenus anticus syndrome
354.0	Carpal tunnel syndrome, median nerve entrapment, partial thenar atrophy
354.2	Lesions of ulnar nerve, cubital tunnel syndrome, tardy ulnar nerve palsy
354.3	Lesion of radial nerve, acute radial nerve palsy

PRIMARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) History: <ol style="list-style-type: none"> a) Repetitive motion/force b) Pain and paresthesias c) Weakness d) Exposure to vibrations e) Exacerbation of symptoms by sleeping on affected extremity f) Relief by splinting in neutral position 2) Physical Findings: <ol style="list-style-type: none"> a) Reproduction of symptoms with percussion, compression or other provocative maneuver b) Weakness and/or atrophy of affected muscles
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluations (FCE) Injection with corticosteroids/steroids (If further injections are required beyond the first three (3) injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Nutritional supplements (Vitamins B1 and B6) in indicated doses Orthotics/splints Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Diagnosis: Neuropathy - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Continued, persistent, and intermittent symptoms 2) Limited-to-good response to primary treatment.
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Electromyogram (EMG)/nerve conduction (NC) studies Magnetic resonance imaging (MRI) (if mass lesion is suspected in nerve compression syndrome) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluations (FCE) Injection with corticosteroids/steroids (If further injections are required beyond the first three (3) injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program 1) Work conditioning 2) Work hardening
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications

Texas Workers' Compensation Commission Figure 18: 28TAC § 134.1002 (f)(6)(C)
 (Diagnosis: Neuropathy - continued)

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	1) Chronic, persistent, and recurring symptoms 2) Documented history of persistent failure to respond to nonoperative/operative treatment.
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Electromyogram (EMG)/nerve conduction (NC) studies Magnetic resonance imaging (MRI)(if mass lesion is suspected in nerve compression syndrome) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Functional capacity evaluations (FCE) Interdisciplinary program <ol style="list-style-type: none"> 1) Chronic pain management 2) Outpatient medical rehabilitation Job site analysis Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

Texas Workers' Compensation Commission Figure 19: 28TAC § 134.1002 (f)(6)(D)

DIAGNOSIS	
Muscle/Ligament/Capsular Injuries: Acute Chronic	
ICD-9 DIAGNOSIS CODES (May include but not limited to)	
840	Strain/sprain shoulder and upper arm
841	Strain/sprain elbow and forearm
842	Strain/sprain wrist and hand

PRIMARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Brief history of acute injury with early positive response to treatment. 2) No urgent surgical indicators on physical examination. 3) No significant structural pathology, suggesting surgical solutions. 4) Post acute or chronic patient with acute exacerbation. 5) Swelling, pain, and tenderness. 6) Limited range of motion.
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Bone scan Computerized axial tomography (CAT) scan Magnetic resonance imaging (MRI) Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 20: 28TAC § 134.1002 (f)(6)(E)
 (Diagnosis: Muscle/Ligament/Capsular Injuries: Acute, Chronic - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Continued persistent and intermittent symptoms 2) Limited-to-good response to primary treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Biofeedback/behavioral management evaluation Bone scan Computerized axial tomography (CAT) scan Mental health evaluation/assessment Physical examination Plain x-rays Tomogram
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program <ol style="list-style-type: none"> 1) Work conditioning 2) Work hardening
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses

Workers' Compensation Commission Figure 21: 28TAC § 134.1002 (f)(6)(F)

Diagnosis: Muscle/Ligament/Capsular Injuries: Acute, Chronic - continued)

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	1) Chronic, persistent, and recurring symptoms 2) Documented history of persistent failure to respond to nonoperative/operative treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Repeat diagnostic studies from previous levels as indicated
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Interdisciplinary program 1) Chronic pain management 2) Outpatient medical rehabilitation Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

Texas Workers' Compensation Commission Figure 22: 28TAC § 134.1002 (f)(6)(G)

DIAGNOSIS			
Fractures			
ICD-9 DIAGNOSIS CODES (May include but not limited to)			
810	Fracture clavicle	815	Fracture metacarpal bones
811	Fracture scapula	816	Fracture one or more phalanges of hand
812	Fracture humerus	817	Multiple fractures of hand bones
813	Fracture radius and ulna	818	Ill defined fracture of upper limb
814	Fracture carpal bones	819	Multiple fractures involving both upper limbs and upper limbs with ribs, and sternum

PRIMARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Brief history of acute injury with early positive response to treatment. 2) No urgent surgical indicators on physical examination. 3) No significant structural pathology, suggesting surgical solutions. 4) Post acute or chronic patient with acute exacerbation. 5) Swelling, pain, and tenderness. 6) Limited range of motion.
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Bone scan Computerized axial tomography (CAT) scan Physical examination Plain x-rays Tomogram
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Job site analysis Limited oral corticosteroids Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/aplints/casts Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 23: 28TAC § 134.1002 (f)(6)(H)
 (Diagnosis: Fractures - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Continued, persistent, and intermittent symptoms 2) Limited-to-good response to primary treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan Computerized axial tomography (CAT) scan Magnetic resonance imaging (MRI) (confirmatory test to rule out occult fracture) Mental health evaluation/assessment Physical examination Plain x-rays Tomogram
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Job site analysis Limited oral corticosteroids Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints/casts Outpatient evaluation and therapy 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program 1) Work conditioning 2) Work hardening
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications

Texas Workers' Compensation Commission Figure 24: 28TAC § 134.1002 (f)(6)(I)
 (Diagnosis: Fractures - continued)

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	1) Chronic, persistent, and recurring symptoms 2) Documented history of persistent failure to respond to nonoperative/operative treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan Computerized axial tomography (CAT) scan Magnetic resonance imaging (MRI) (confirmatory test to rule out occult fracture) Mental health evaluation/assessment Physical examination Plain x-rays Tomogram
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Interdisciplinary program <ul style="list-style-type: none"> 1) Chronic pain management 2) Outpatient medical rehabilitation Job site analysis Limited oral corticosteroids Medication modifications Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints/casts
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

Texas Workers' Compensation Commission Figure 25: 28TAC § 134.1002 (f)(6)(J)

DIAGNOSIS	
Avascular Necrosis	
ICD-9 DIAGNOSIS CODES (May include but not limited to)	
733.40 Aseptic necrosis of bone	

PRIMARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Pain at rest 2) Recent history of corticosteroid use or of physical stress 3) Limited range of motion 4) Weakness of extremity
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Bone scan Magnetic resonance imaging (MRI) Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Job site analysis Limited oral corticosteroids Manipulation Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints/casts Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 26: 28TAC § 134.1002 (f)(6)(K)
(Diagnosis: Avascular Necrosis - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Continued, persistent, and intermittent symptoms 2) Limited-to-good response to primary treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Biofeedback/behavioral pain management evaluation Bone scan Mental health evaluation/assessment Magnetic resonance imaging (MRI) Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints/casts Outpatient evaluation and therapy 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program 1) Work conditioning 2) Work hardening
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications

Texas Workers' Compensation Commission Figure 27: 28TAC § 134.1002 (f)(6)(L)

Diagnosis: Avascular Necrosis - continued

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	1) Chronic, persistent, and recurring symptoms 2) Documented history of persistent failure to respond to nonoperative/operative treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Biofeedback/behavioral pain management evaluation Bone scan Mental health evaluation/assessment Magnetic resonance imaging (MRI) Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Interdisciplinary program <ul style="list-style-type: none"> 1) Chronic pain management 2) Outpatient medical rehabilitation Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints/casts
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

DIAGNOSIS			
Intra-articular Pathology Traumatic Arthritis			
ICD-9 DIAGNOSIS CODES (May include but not limited to)			
716.11	Traumatic arthropathy - shoulder	718.11	Loose body articular cartilage - shoulder
716.12	Traumatic arthropathy - upper arm	718.12	Loose body articular cartilage - upper arm
716.13	Traumatic arthropathy - forearm	718.13	Loose body articular cartilage - forearm
716.14	Traumatic arthropathy - hand	718.14	Loose body articular cartilage - hand

PRIMARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Limited range of motion 2) Pain with use of joint 3) Weakness of extremity 4) Swelling
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Aspiration (with joint fluid analysis and cultures) Bone scan Computerized axial tomography (CAT) scan Laboratory analysis (including arthrodesis) Magnetic resonance imaging (MRI) Physical examination Plain x-rays Tomogram
TREATMENT INTERVENTIONS: (May include but not limited to)	Acupuncture Analgesics Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 29: 28TAC § 134.1002 (f)(6)(M) (Continued)
 (Diagnosis: Intra-articular Pathology, Traumatic Arthritis - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 1 year
CLINICAL INDICATORS: (May include but not limited to)	1) Continued, persistent, and intermittent symptoms 2) Limited-to-good response to primary treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Aspiration (with joint fluid analysis and cultures) Biofeedback/behavioral pain management evaluation Bone scan Computerized axial tomography (CAT) scan Laboratory analysis (including arthrodesis) Magnetic resonance imaging (MRI) Mental health evaluation/assessment Physical examination Plain x-rays Tomogram
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission

DIAGNOSIS	
Joint Instability	
ICD-9 DIAGNOSIS CODES (May include but not limited to)	
718.82	Instability of joint - elbow
718.84	Instability of joint - hand
718.81	Instability of joint - shoulder
718.83	Instability of joint - wrist

PRIMARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Pain with overhead activity or other provocative maneuver 2) History of subluxation or dislocation 3) Repeated episodes of subluxation or dislocation 4) Pain, tenderness 5) Joint catching or popping
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Computerized axial tomography (CAT) scan Magnetic resonance imaging (MRI) Physical examination Plain x-rays Tomograms
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Concurrent home program Functional capacity evaluation (FCE) Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 31: 28TAC § 134.1002 (f)(6)(N) (Continued)

agnosis: Joint Instability - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Continued, persistent, and intermittent symptoms 2) Limited-to-good response to primary treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Biofeedback/behavioral pain management evaluation Bone scan Computerized axial tomography (CAT) scan Magnetic resonance imaging (MRI) Mental health evaluation/assessment Physical examination Plain x-rays Tomograms
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Functional capacity evaluation (FCE) Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program 1) Work conditioning 2) Work hardening
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications

Texas Workers' Compensation Commission Figure 32: 28TAC § 134.1002 (f)(6)(O)
 (Diagnosis: Joint Instability - continued)

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	1) Chronic, persistent, and recurring symptoms 2) Documented history of persistent failure to respond to nonoperative/operative treatment.
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Arthrogram Biofeedback/behavioral pain management evaluation Bone scan Computerized axial tomography (CAT) scan Magnetic resonance imaging (MRI) Mental health evaluation/assessment Physical examination Plain x-rays Tomograms
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Functional capacity evaluation (FCE) Injection with corticosteroids (If further injections are required beyond the first three injections, additional diagnostic studies may be warranted.) Interdisciplinary program <ul style="list-style-type: none"> 1) Chronic pain management 2) Outpatient medical rehabilitation Job site analysis Limited oral corticosteroids Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

DIAGNOSIS

Lacerations:
Tendons
Nerves

ICD-9 DIAGNOSIS CODES
(May include but not limited to)

880.20	Open wound shoulder tendon involvement	881.21	Open wound elbow tendon involvement
880.21	Open wound scapular tendon involvement	881.22	Open wound wrist tendon involvement
880.22	Open wound axillary tendon involvement	882.2	Open wound hand tendon involvement
880.23	Open wound upper arm tendon involvement	883.2	Open wound fingers tendon involvement
881.20	Open wound forearm tendon involvement	884.2	Open wound upper limb tendon involvement

PRIMARY LEVEL OF CARE

DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Open wound 2) Loss of function (e.g., sensibility, motion)
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Electromyogram (EMG)/nerve conduction studies (NC) (for suspected nerve injury) Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Job site analysis Limited oral corticosteroids Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints/casts Outpatient evaluation and therapy 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 34: 28TAC § 134.1002 (f)(6)(P) (Continued)
(Diagnosis: Lacerations: Tendons, Nerves - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Rupture 2) Limited sensation 3) Limited range of motion 4) Adhesions/infection
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Electromyogram (EMG)/nerve conduction studies (NC) (for suspected nerve injury) Mental health evaluation/assessment
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Job site analysis Limited oral corticosteroids Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints/casts Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program <ol style="list-style-type: none"> 1) Work conditioning 2) Work hardening
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications

Texas Workers' Compensation Commission Figure 35: 28TAC § 134.1002 (f)(6)(Q)
(Diagnosis: Lacerations: Tendons, Nerves - continued)

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Rupture 2) Limited sensation 3) Limited range of motion 4) Adhesions/secondary infections
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Electromyogram (EMG)/nerve conduction studies (NC) (for suspected nerve injury) Mental health evaluation/assessment
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Functional capacity evaluation (FCE) Interdisciplinary program <ol style="list-style-type: none"> 1) Chronic pain management 2) Outpatient medical rehabilitation Job site analysis Medication modification Mental health treatment Modified activity of the extremity as indicated Orthotics/splints/casts
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

DIAGNOSIS	
Crush Injuries	
ICD-9 DIAGNOSIS CODES (May include but not limited to)	
927.0	Crush injury to shoulder and upper arm
927.1	Crush injury to elbow and forearm
927.2	Crush injury to wrist and hand
927.3	Crush injury to fingers

PRIMARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) History of crushing injury 2) Swelling 3) Pain 4) Inflammation
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Computerized axial tomography (CAT) scan Magnetic resonance imaging (MRI) Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antibiotics Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Job site analysis Manipulation (when injury confined to soft tissue) Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints/casts Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 37: 28TAC § 134.1002 (f)(6)(S)
 (Diagnosis: Crush Injuries - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Redness and swelling 2) Loss of function 3) Continued pain 4) Limited range of motion 5) Limited sensation
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan (confirmatory test) Electromyogram (EMG)/nerve conduction studies (NC) (confirmatory test) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antibiotics Antidepressants Biofeedback/behavioral pain management evaluation Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Injection with corticosteroids and/or analgesics (If further injections are required beyond the first three (3) injections, additional diagnostic studies may be warranted) Job site analysis Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints/casts Outpatient therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program <ol style="list-style-type: none"> 1) Work conditioning 2) Work hardening
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications

Texas Workers' Compensation Commission Figure 38: 28TAC § 134.1002 (f)(6)(T)
(Diagnosis: Crush Injuries - continued)

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	1) Chronic, persistent, and recurring symptoms 2) Documented history of persistent failure to respond to nonoperative/operative treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan Electromyogram (EMG)/nerve conduction studies (NC) (confirmatory test) Magnetic resonance imaging (MRI) Mental health evaluation/assessment
TREATMENT INTERVENTIONS: (May include but not limited to)	Antidepressants Antibiotics Biofeedback/behavioral pain management/relaxation training Concurrent home program Interdisciplinary program 1) Chronic pain management 2) Outpatient medical rehabilitation Job site analysis Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Orthotics/splints/casts
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

DIAGNOSIS

Reflex Sympathetic Dystrophy

ICD-9 DIAGNOSIS CODES
(May include but not limited to)

337.21 Reflex sympathetic dystrophy of upper limb

PRIMARY LEVEL OF CARE

DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Pain (out of proportion to the degree of injury) 2) Edema/Swelling 3) Stiffness/Loss of function 4) Discoloration (may or may not be accompanied by temperature changes in the affected area)
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan Mental health evaluation/assessment Nerve conduction studies (NC) Physical examination Plain x-rays Plethysmography Vascular/arterial doppler
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Anticonvulsants Bier blocks Biofeedback/behavioral pain management/relaxation training Concurrent home program Detoxification (i.e., smoking cessation, alcohol cessation, decreasing narcotic analgesic intake) Functional capacity evaluation (FCE) Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Sympathetic blocks
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity may allow return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 40: 28TAC § 134.1002 (f)(6)(V)
(Diagnosis: Reflex Sympathetic Dystrophy - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Joint contractures 2) Muscle weakness 3) Persistent pain, blanching, skin coolness 4) Progressive decrease in range of motion and restrictive limb use; muscle loss 5) Bony changes
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan Mental health evaluation/assessment Nerve conduction studies (NC) Physical examination Plain x-rays Vascular/arterial doppler
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Anticonvulsants Bier blocks Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/aplints Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program <ol style="list-style-type: none"> 1) Work conditioning 2) Work hardening Sympathetic blocks
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

Texas Workers' Compensation Commission Figure 41: 28TAC § 134.1002 (f)(6)(W)
 (Diagnosis: Reflex Sympathetic Dystrophy - continued)

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	1) Severely restricted use 2) Atrophy 3) Chronic pain
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan Mental health evaluation/assessment Nerve conduction studies (NC) Physical examination Plain x-rays Vascular/arterial doppler
TREATMENT INTERVENTIONS: (May include but not limited to)	Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Interdisciplinary program <ul style="list-style-type: none"> 1) Chronic pain management 2) Outpatient medical rehabilitation Manipulation Mental health treatment Modified activity of the extremity as indicated Sympathetic blocks
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

DIAGNOSIS
Myofascial Pain Syndrome
ICD-9 DIAGNOSIS CODES (May include but not limited to)
729.1 Myalgia, myositis, fibromyositis

PRIMARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	<ol style="list-style-type: none"> 1) Limited range of motion 2) Muscular spasm 3) Headache
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan Electromyogram (EMG)/nerve conduction studies (NC) Magnetic resonance imaging (MRI) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Job site analysis Manipulation Mental health treatment Modified activity to the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy <ol style="list-style-type: none"> 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely)
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	<ol style="list-style-type: none"> 1) Ergonomic assessment 2) Job accommodations/modifications 3) A mild level of severity allows return to work within 0-3 months, with or without modified/transitional work and/or orthoses.

Texas Workers' Compensation Commission Figure 43: 28TAC § 134.1002 (f)(6)(Y)

Diagnosis: Myofascial Pain Syndrome - continued)

SECONDARY LEVEL OF CARE	
DURATION:	0 - 3 months
CLINICAL INDICATORS: (May include but not limited to)	1) Continued, persistent, and intermittent symptoms (i.e., pain and paresthesias) 2) Limited-to-good response to primary treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan Computerized axial tomography (CAT) scan Electromyogram (EMG)/nerve conduction studies (NC) Magnetic resonance imaging (MRI) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Analgesics Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Durable medical equipment (DME) Functional capacity evaluation (FCE) Job site analysis Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Orthotics/splints Outpatient evaluation and therapy 1) Attended modalities and procedures 2) Unattended modalities (limited to a maximum of two (2) weeks, if used solely) Single or interdisciplinary program 1) Work conditioning 2) Work hardening Trigger point injections
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment/ergonomic aids 2) Job accommodations/modifications

Texas Workers' Compensation Commission Figure 44: 28TAC § 134.1002 (f)(6)(Z)
 (Diagnosis: Myofascial Pain Syndrome - continued)

TERTIARY LEVEL OF CARE	
DURATION:	0 - 6 months
CLINICAL INDICATORS: (May include but not limited to)	1) Chronic, persistent, and recurring symptoms (i.e., pain and paresthesia) 2) Documented history of persistent failure to respond to nonoperative/operative treatment
DIAGNOSTIC PROCEDURES: (May include but not limited to)	Biofeedback/behavioral pain management evaluation Bone scan Computerized axial tomography (CAT) scan Electromyogram (EMG)/nerve conduction studies (NC) Magnetic resonance imaging (MRI) Mental health evaluation/assessment Physical examination Plain x-rays
TREATMENT INTERVENTIONS: (May include but not limited to)	Antidepressants Biofeedback/behavioral pain management/relaxation training Concurrent home program Functional capacity evaluation (FCE) Interdisciplinary program 1) Chronic pain management 2) Outpatient medical rehabilitation Manipulation Medication modification Mental health treatment Modified activity of the extremity as indicated Non-steroidal anti-inflammatory drugs (NSAID) Trigger point injections
EXPECTED OUTCOME:	Return to unrestricted work or Maximum Medical Improvement (MMI).
RETURN TO WORK ISSUES:	1) Ergonomic assessment 2) Job accommodations/modifications 3) Return to full duty work may not always be possible and may necessitate the introduction of vocational rehabilitation services by referral to Texas Rehabilitation Commission.

1.0 x (number of cattle)
+ 0.4 x (number of swine weighing over 55 pounds)
+ 2.0 x (number of horses and mules)
+ 0.1 x (number of sheep and goats)

=====
Total = animal equivalents.

Figure 1 for 40 TAC 15.461(b)(4)(B)

<u>Indian Group</u>	<u>Conveyance Statute</u>	<u>State</u>
Seminole Indians	P.L. 84-736 (70 Stat 581) (July 20, 1956)	Florida
Pueblos of Zia and Jemez	P.L. 84-926 (70 Stat 941) (August 2, 1956)	New Mexico
Stockbridge Muncie Indian Community	P.L. 92-480 (86 Stat 795) (October 9, 1972)	Wisconsin
Burns Indian Colony	P.L. 92-488 (86 Stat 806) (October 13, 1972)	Oregon

<u>Indian Group</u>	<u>Reservation</u>	<u>Lands Conveyed By P.L. 94-114</u>	<u>State</u>
Assiniboine and Sioux Tribe	Fort Peck	LI-MT 6 Fort Peck	Montana
Bad River Band of the Lake Superior Tribe of Chippewa Indians	Bad River	LI-WI 8 Bad River	Wisconsin
Blackfeet Tribe of Montana	Blackfeet	LI-MT 9 Blackfeet	Montana
Cherokee Nation of Oklahoma	None	LI-OK 4 Delaware LI-OK 5 Adair	Oklahoma
Cheyenne River Sioux Tribe	Cheyenne River	LI-SD 13 Cheyenne Indian	South Dakota
Crow Creek Sioux Tribe	Crow Creek	LI-SD 10 Crow Creek	South Dakota
Devil's Lake Sioux Tribe	Fort Totten	LI-ND 11 Fort Totten	North Dakota
Fort Belknap Indian Community	Fort Belknap	LI-MT 8 Fort Belknap	Montana

<u>Indian Group</u>	<u>Reservation</u>	<u>Lands Conveyed By P.L. 94-114</u>	<u>State</u>
Keweenaw Bay Indian Community	L'Anse	LI-MI 8 L'Anse	Michigan
Lac Courte Oreilles Band of Lake Superior Chippewa Indians	Lac Courte Oreilles	LI-WI 9 Lac Courte	Wisconsin
Lower Brule Sioux Tribe	Lower Brule	LI-SD 10 Lower Brule	South Dakota
Minnesota Chippewa Tribe	White Earth	LI-MN 6 Twin Lakes LI-MN 15 Flat Lake	Minnesota
Navajo Tribe	Navajo	LI-NM 18 Gallup Two Wells	New Mexico
Oglala Sioux Tribe	Pine Ridge	LI-SD 7 Pine Ridge	South Dakota
Rosebud Sioux Tribe	Rosebud	LI-SD 8 Cutmeat LI-SD 9 Antelope	South Dakota
Shoshone-Bannock Tribe	Fort Hall	LI-ID 2 Fort Hall	Idaho
Standing Rock Sioux Tribe	Standing Rock	LI-ND 10 Standing Rock LI-SD 10 Standing Rock	North Dakota South Dakota

OPEN MEETINGS

Agencies with statewide jurisdiction must give at least seven days notice before an impending meeting. Institutions of higher education or political subdivisions covering all or part of four or more counties (regional agencies) must post notice at least 72 hours before a scheduled meeting time. Some notices may be received too late to be published before the meeting is held, but all notices are published in the **Texas Register**.

Emergency meetings and agendas. Any of the governmental entities listed above must have notice of an emergency meeting, an emergency revision to an agenda, and the reason for such emergency posted for at least two hours before the meeting is convened. All emergency meeting notices filed by governmental agencies will be published.

Posting of open meeting notices. All notices are posted on the bulletin board at the main office of the Secretary of State in lobby of the James Earl Rudder Building, 1019 Brazos, Austin. These notices may contain a more detailed agenda than what is published in the **Texas Register**.

Meeting Accessibility. Under the Americans with Disabilities Act, an individual with a disability must have an equal opportunity for effective communication and participation in public meetings. Upon request, agencies must provide auxiliary aids and services, such as interpreters for the deaf and hearing impaired, readers, large print or braille documents. In determining type of auxiliary aid or service, agencies must give primary consideration to the individual's request. Those requesting auxiliary aids or services should notify the contact person listed on the meeting summary several days prior to the meeting by mail, telephone, or RELAY Texas (1-800-735-2989).

Texas State Board of Public Accountancy

Friday, September 22, 1995, 9:00 a.m.

333 Guadalupe, Room 910

Austin

Revised Agenda

CPE Committee Meeting

AGENDA:

E. Consideration of ethics course submitted for approval

ACTION REQUIRED

3. Clyde and Associates

5. Houston Chapter of the Texas Society of CPAs

G. Consideration of proposed agenda from the Houston TSCPA for a CPE Sponsor Conference this fall

ACTION REQUIRED

H. Consideration of a letter from Jim Parente, managing director of CPE, TSCPA, requesting that the Texas Society be the exclusive provider of the mandatory ethics course.

ACTION REQUIRED

Contact: J. Randel (Jerry) Hill, 333 Guadalupe, Tower III, Room 900, Austin, Texas 78701-3900, (512) 505-5542.

Filed: September 14, 1995, 10:30 a.m.

TRD-9511792

State Office of Administrative Hearings

Tuesday, September 19, 1995, 10:00 a.m.

7800 Shoal Creek Boulevard

Austin

Public Utility Division

AGENDA:

A prehearing conference is scheduled for the above date and time in SOAH Docket Number 473-95-1190; PUC Docket Number 14147: Complaint of GE Capital RESCOM and Multitechnology Services, L.P. against GTE Southwest Incorporated for refusal to relocate network demarcation points.

Contact: J. Kay Trostle, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0233.

Filed: September 14, 1995, 3:06 p.m.

TRD-9511816

Thursday, October 19, 1995, 8:30 a.m.

7800 Shoal Creek Boulevard

Austin

Public Utility Division

AGENDA:

A hearing on the merits will be held at the above date and time in SOAH Docket Num-

ber 473-95-1204--Application of MCIMetro Access Transmission Services, Inc. for a service provider certificate of operating authority (PUC Docket Number 14676).

Contact: J. Kay Trostle, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0233.

Filed: September 18, 1995, 2:09 p.m.

TRD-9511910

Wednesday, December 6, 1995, 10:00 a.m.

7800 Shoal Creek Boulevard

Austin

Public Utility Division

AGENDA:

A hearing on the merits will be held at the above date and time in SOAH Docket Number 473-95-1180--Application of Brazos Electric Power Cooperative, Inc., for amendment of its Certificate of Convenience and Necessity to authorize the construction of a 138 KV transmission line and related facilities in Ellis County.

Contact: J. Kay Trostle, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0233.

Filed: September 18, 1995, 4:34 p.m.

TRD-9511924

Tuesday, January 9, 1996, 10:00 a.m.

7800 Shoal Creek Boulevard

Austin

Public Utility Division

AGENDA:

A hearing on the merits is scheduled for the above date and time in SOAH Docket Number 473-95-1192; PUC Docket Number 14295: Complaint of WECO on behalf of Dunn Equipment against Southwestern Bell Telephone Company.

Contact: J. Kay Trostle, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0233.

Filed: September 14, 1995, 10:09 a.m.

TRD-9511791

Texas Board of Chiropractic Examiners

Thursday, September 28, 1995, 8:30 a.m.

333 Guadalupe, Tower III, Suite 825

Austin

Enforcement Committee

AGENDA:

The Enforcement Committee of the Texas Board of Chiropractic Examiners will meet on Thursday, September 28, 1995 at 8:30 a.m. to consider cases #95-4, #95-70, #95-199, #95-200, #95-216, #95-276, #95-296 through #95-323, and #96-1 through #96-20 concerning possible violations by chiropractic licensees, and to conduct informal hearings on cases #95-39, #95-71, #95-100, #95-183, #95-186, #95-188, #95-192 and #95-195.

Contact: Patte B. Kent, 333 Guadalupe, Tower III, Suite 825, Austin, Texas 78701, (512) 305-6700.

Filed: September 18, 1995, 1:25 p.m.

TRD-9511908

Texas Department of Commerce

Wednesday, October 4, 1995, 10:00 a.m.

State Capitol Building, Extension, Room E2.036, 1400 North Congress Avenue

Austin

Texas Defense Economic Adjustment Advisory Council, Community Development Committee

AGENDA:

- I. Welcoming remarks
- II. Smart Jobs Presentation followed by Q and A
- III. Brad Arvin, Chase AFB conversion
- IV. Texas One Presentation followed by Q and A

V. TMAC Presentation followed by Q and A

VI. Enterprise Zone Presentation followed by Q and A

VII. Discussion of Lubbock Focus Group meeting

VIII. Adjournment

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Audra Lipe at (512) 936-0105 at least two days before this meeting so that appropriate arrangements can be made. Please contact Audra Lipe at (512) 936-0105 if you need assistance in having English translated to Spanish.

Contact: Audra Lipe, 1700 North Congress Avenue, Austin, Texas 78701, (512) 936-0105.

Filed: September 19, 1995, 8:49 a.m.

TRD-9511931

Texas Education Agency

Sunday-Tuesday, September 24-26, 1995, 8:30 a.m.

Radisson Marketplace, Alameda Room, 502 West Durango

San Antonio

Social Studies Essential Knowledge and Skills Clarification Team

AGENDA:

The team will participate in daily work sessions to clarify the essential knowledge and skills of the social studies curriculum.

Contact: Helen Bass, 3332 Montgomery Road, Huntsville, Texas 77340, (409) 295-9161, or Ann Rogers, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9580.

Filed: September 18, 1995, 11:41 a.m.

TRD-9511906

Texas Energy Coordination Council

Saturday, September 23, 1995, 10:00 a.m.

J. J. Pickle Research Campus, 10100 Burnet Road, CEM/CES Building

Austin

AGENDA:

- 10:00 a.m.
- 1. Call to order
- 2. Approve/modify July 21st minutes
- 3. Council business: New contract with

UT/Austin, Lowry Crook's address, budget/expense report

4. Old business: Christopher's oil spill trip report, model energy policy proposals, budget requests from the TBEI and ESTI

5. New business: TECC budget (see executive session), TECC World Wide Web home page

6. Institute reports: TBEI, ESTI

7. Regulatory reports: Status of appointments/vacancies

8. Miscellaneous comments: Status of the "TECC White Paper"

3:00 p.m.-Adjourn

Contact: Leo Stambaugh, 10100 Burnet Road, CES-R7100, Austin, Texas 78758, (512) 475-6774.

Filed: September 14, 1995, 2:47 p.m.

TRD-9511811

Texas Feed and Fertilizer Control Service/Office of the Texas State Chemist

Wednesday, November 1, 1995, 10:00 a.m.

Rudder Tower, Texas A&M University, Room 507

College Station

AGENDA:

To receive public comment on the Texas Feed and Fertilizer Control Service proposed changes to the Feed Rules to implement amendments to the Texas Feed Law effective January 1, 1996.

Contact: Dr. George W. Latimer, Jr., P.O. Box 3160, College Station, Texas 77841-3160, (409) 845-1121.

Filed: September 15, 1995, 8:15 a.m.

TRD-9511825

Office of the Governor, Criminal Justice Division

Friday, September 29, 1995, 10:00 a.m.

Criminal Justice Division, 221 East 11th Street, First Floor Conference Room

Austin

Governor's Planning Council for STOP Violence Against Women

AGENDA:

- I. Call to order; II. Introduction of members; III. Review of previous meeting; IV. Strategy planning and development; V. Assignments; VI. Adjourn.

Contact: Carol Funderburgh, P.O. Box 12428, Austin, Texas 78711, (512) 463-1929.

Filed: September 19, 1995, 8:57 a.m.

TRD-9511933

◆ ◆ ◆ ^
Texas Department of Health

Thursday, September 28, 1995, 8:00 a.m.

Room M-739, Texas Department of Health, 1100 West 49th Street

Austin

Oral Health Services Advisory Committee

AGENDA:

The committee will discuss and possibly act on: overview of department structure and function; rules and charge; orientation to the Health Care Delivery Associateship and Bureau of Dental Health Services; election of officers and determination of member terms; presentation of issues (proposed rules (CDT-2 (Current Dental Terminology) code changes; and utilization review plan); budget issues; managed care; and other issues not requiring committee action); future committee meetings.

Contact: Dr. Nana Lopez, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7323. For ADA assistance, call Richard Butler (512) 458-6410 or T.D.D. (512) 458-7708 at least two days prior to the meeting.

Filed: September 14, 1995, 4:52 p.m.

TRD-9511824

◆ ◆ ◆ ^
Texas Higher Education Coordinating Board

Monday, September 25, 1995, 10:00 a.m.

Hannah Hall Building, Room 111, Texas Southern University

Houston

Campus Planning Committee

AGENDA:

View and/or hear presentations on the following: New School of Business Building; and new Science Building.

Contact: Don Brown, P.O. Box 12788, Austin, Texas 78711, (512) 483-6101.

Filed: September 15, 1995, 9:30 a.m.

TRD-9511828

Monday, September 25, 1995, 11:45 a.m.

Clark Clinic Building Shivers Conference Room, 11th Floor, University of Texas M. D. Anderson Cancer Center

Houston

Campus Planning Committee

AGENDA:

View and/or hear presentations on the following: University of Texas M. D. Anderson Cancer Center-Gimbel and Anderson Center Core renovation and addition. University of Texas at Austin-Women's Softball Field-Phase II; and new parking garage. University of Texas Medical Branch at Galveston-Purchase 55,294 square foot storage warehouse at 103 18th Street. University of Texas Southwestern Medical Center at Dallas-Purchase 19.3 acres of land including three buildings containing 196,844 gross square feet.

Contact: Don Brown, P.O. Box 12788, Austin, Texas 78711, (512) 483-6101.

Filed: September 15, 1995, 9:30 a.m.

TRD-9511829

Monday, September 25, 1995, 3:00 p.m.

Bio-Technology Building, 2121 West Holcombe Boulevard, Conference Room 1119, Texas A&M University

Houston

Campus Planning Committee

AGENDA:

View and/or hear presentations on the following: University of Texas Health Science Center at Houston-Purchase Northwest Center of Cambridge and El Paseo containing 5.1 acres; and Institute of Molecular Medicine-finish out lease space. Texas A&M University-Re-approval of Library, Computing and Study Facility. Southwest Texas State University-Utility System expansion. Stephen F. Austin State University-Power Plant II renovation.

Contact: Don Brown, P.O. Box 12788, Austin, Texas 78711, (512) 483-6101.

Filed: September 15, 1995, 9:30 a.m.

TRD-9511830

Tuesday, September 26, 1995, 9:00 a.m.

Administration Building, Board of Regents Room 316, University of Texas-Pan American

Edinburg

Campus Planning Committee

AGENDA:

View and/or hear presentations on the following: New Science Building.

Contact: Don Brown, P.O. Box 12788, Austin, Texas 78711, (512) 483-6101.

Filed: September 15, 1995, 9:31 a.m.

TRD-9511831

Texas Incentive and Productivity Commission

Friday, September 29, 1995, 10:00 a.m.

Clements Building, Fifth Floor, Committee Room #5, 15th and Lavaca

Austin

AGENDA:

I. Call to order and roll call

II. Approval of minutes of previous meeting

III. Consideration of employee suggestions for approval

IV. Consideration of 1995 productivity bonus applications for approval

V. Consideration of matters relating to 1995 applications for productivity bonuses

VI. Consideration of 1996 operating budget for approval

VII. Report on administrative matters

VIII. Consideration of possible changes to the administration of the State Employee Incentive Program and the Productivity Bonus Program

IX. Adjournment

Contact: M. Elaine Powell, P.O. Box 12482, Austin, Texas 78711, (512) 475-2393.

Filed: September 15, 1995, 4:06 p.m.

TRD-9511883

◆ ◆ ◆ ^
Texas Department of Insurance

Monday, October 2, 1995, 9:00 a.m.

State Office of Administrative Hearings, 300 West 15th Street, Suite 502

Austin

454-95-0394.C

AGENDA:

To consider whether disciplinary action should be taken against Wylie G. Porterfield, Talco, Texas, who holds a Group I, Legal Reserve Life Insurance Agent's License issued by the Texas Department of Insurance.

Contact: Bernice Ross, 333 Guadalupe Street, Mail Code #113-2A, Austin, Texas 78701, (512) 463-6328.

Filed: September 19, 1995, 9:33 a.m.

TRD-9511941

Friday, October 6, 1995, 1:00 p.m.

State Office of Administrative Hearings, 300 West 15th Street, Suite 502

Austin

454-95-0824.C

AGENDA:

To consider whether disciplinary action should be taken against Glen M. Barling, Arlington, Texas, who holds a Local Recording Agent's License-Motor Vehicle only issued by the Texas Department of Insurance and to consider the application of Glen Mark Barling, Arlington, Texas for a Local Recording Agent's License-Multiple Lines to be issued by the Texas Department of Insurance (recessed from August 22, 1995).

Contact: Bernice Ross, 333 Guadalupe Street, Mail Code #113-2A, Austin, Texas 78701, (512) 463-6328.

Filed: September 19, 1995, 9:33 a.m.

TRD-9511942

Commission on Jail Standards

Friday, September 29, 1995, 9:00 a.m.
William P. Clements Building, Hearing Room 509, 300 West 15th Street

Austin

AGENDA:

Call to order. Roll call of members. Reading and approval of minutes of last meeting of July 28, 1995. Executive session, appointment and selection of commission officers/staff. Old business disbursement of inmate telephone revenue, El Paso County, Wharton County, status of Objective Jail Classification (OJC), changes to standards-adopt, status of payment to counties and jail population, completed jail projects, active remedial orders/cancel/changes, mental health issues, new business; changes to standards-proposed, Burnet County, Sunset Commission self-evaluation report, professional services contract, Office of Administrative Services contract, Dallas County, review of conditional certification, Juvenile Justice survey, Internal Audit Committee report, Education Committee report, Karnes County. Applications for variances: Comanche County, review of variances: Bexar, Dallas, Galveston, Harris, Hopkins, Nueces, Tarrant, Taylor and Travis counties. Directors report. Other business. Adjourn.

Contact: Jack E. Crump, P.O. Box 12985, Austin, Texas 78711, (512) 463-5505.

Filed: September 14, 1995, 2:30 p.m.

TRD-9511810

Texas State Board of Medical Examiners

Friday, September 22, 1995, 9:00 a.m.
1812 Centre Creek Drive, Suite 300

Austin

Texas State Board of Physician Assistant Examiners Long Range Planning Committee

AGENDA:

1. Call to order
2. Roll call
3. Discussion and possible action on legislative issues
4. Discussion and possible action on jurisprudence examination
5. Discussion and possible action on number of physician assistants to be supervised by alternate supervising physician.

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 834-7728, Ext. 402, Fax (512) 834-4597.

Filed: September 14, 1995, 4:01 p.m.

TRD-9511821

Friday, September 22, 1995, 10:00 a.m.
1812 Centre Creek Drive, Suite 300

Austin

Texas State Board of Physician Assistant Examiners Licensure Committee

AGENDA:

1. Call to order
2. Roll call
3. Review of licensure applicant referred to the Licensure Committee by the executive director for determinations of eligibility for licensure-Randy Benish
4. Review of physician assistant applications for permanent licensure.
5. Request for waiver of continuing medical education requirements-Liz Crittenden, PA

Executive session under the authority of the Open Meetings Act, §551.071 of the Government Code and Article 4495b, and Article 4495b-1, §4(h), Texas Civil Statutes and Article 22 of the Texas Administrative Code, Chapter 185. 3(h).

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 834-7728, Ext. 402, Fax (512) 834-4597.

Filed: September 14, 1995, 4:01 p.m.

TRD-9511822

Friday, September 22, 1995, 1:00 p.m.
1812 Centre Creek Drive, Suite 300

Austin

Texas State Board of Physician Assistant Examiners

AGENDA:

1. Call to order
2. Roll call

3. Approval of minutes from previous board meetings.

4. Discussion, recommendation and possible action regarding the language in Rule 183.8(1) concerning delegation related to obstetrical services.

5. Executive director's report

6. Report and recommendations from the Long Range Planning Committee

7. Recommendation from the Licensure Committee related to approval of physician assistant applications for permanent licensure.

Contact: Pat Wood, P.O. Box 149134, Austin, Texas 78714-9134, (512) 834-7728, Ext. 402, Fax (512) 834-4597.

Filed: September 14, 1995, 4:01 p.m.

TRD-9511823

Texas Natural Resource Conservation Commission

Wednesday, September 27, 1995, 9:30 a.m.

12118 North Interstate 35, Building E, Room 201S

Austin

AGENDA:

The commission will consider approving the following matters on the attached agenda: Class 2 Modification to industrial hazardous waste permit; district matter; Superfund; petroleum storage tank enforcement; industrial hazardous waste enforcement; public water supply enforcement; agency report; rules; affirm; modify, or set aside, emergency order; hearing request; proposal for decision; executive session; the commission will consider items previously posted for open meeting and at such meeting verbally postponed or continued to this date. With regard to any item, the commission may take various actions, including but not limited to rescheduling an item in its entirety or for particular action at a future date or time. (Registration begins at 8:45 a.m. until 9:30 a.m.)

Contact: Doug Kitts, 12100 Park 35 Circle, Austin, Texas 78753, (512) 239-3317.

Filed: September 15, 1995, 9:26 a.m.

TRD-9511827

Friday, September 29, 1995, 9:30 a.m.

12015 Park 35 Circle, Building E, Room 201S

Austin

Municipal Solid Waste Management and Resource Recovery Advisory Council

AGENDA:

The Municipal Solid Waste Management and Resource Recovery Advisory Council will meet on Friday, September 29, 1995, at the Texas Natural Resource Conservation Commission Complex, located at 12015 Park 35 Circle, Building E, Room 201S. The meeting will begin at 9:30 a.m. with a call to order, introduction of guests and minutes of the August 25th meeting. Reports will include an Environmental Education Seminar update, Solid Waste Conference update, discuss a Valley Anti-Dumping Ordinance, and end markets for scrap tires. Reports on the progress of re-writing of the Municipal Solid Waste (MSW) Chapter 330 rules, impact of municipal solid waste on air, storm water, etc. and a status report on MSW training programs will also be provided.

The meeting will continue with the MSW Division report, Waste Planning and Assessment Division report, and the Office of Pollution Prevention and Recycling report, which will include the new composting rules.

Public comments are welcome.

Contact: Gary W. Trim, 12015 Park 35 Circle, Building E, Room 201S, Austin, Texas 78753, (512) 239-6708.

Filed: September 15, 1995, 5:01 p.m.

TRD-9511888

Texas State Board of Plumbing Examiners

Wednesday, September 27, 1995, 10:30 a.m.

929 East 41st Street

Austin

Board Meeting

AGENDA:

Roll call; introduction of staff and visitors; discussion of Board Continuing Education Program; discussion of Texas Engineering Extension Service-Texas A&M University System Continuing Education Program; hearing provided for Texas Engineering Extension Service-Texas A&M University System; possible action and board order regarding Texas Engineering Extension Service-Texas A&M University System Continuing Education Program; announcement of next regularly scheduled board meeting, Monday, November 6, 1995, 9:30 a.m.; and adjourn.

Contact: Mary Lou Lane, 929 East 41st Street, Austin, Texas 78751, (512) 458-2145, Ext. 222.

Filed: September 18, 1995, 1:26 p.m.

TRD-9511909

Texas Board of Private Investigators and Private Security Agencies

Tuesday, September 26, 1995, 8:30 a.m.

Capitol Marriott, Salon D, 701 East 11th Street

Austin

Board Meeting

AGENDA:

New business

I. Docket call.

II. Review of staff recommendation and board action on new licenses, suspension orders, reinstatement orders, revocations, denials, reprimands, summary suspensions, summary denials, requests for waivers, other proposals for decision, requests for rehearings, reconsiderations and related issues.

Old business

I. Approval of minutes of June 27, 1995 board meeting.

New business (continued)

III. Report from 1995 Select Committee on board rules and training.

IV. Discussion and possible adoption of proposed board rules to implement actions of the 74th legislative session.

V. Discussion and possible adoption of fiscal year 1996 operating budget.

It should be noted that a lunch break will be taken at an appropriate time.

Contact: Clema D. Sanders, 313 East Anderson Lane, Suite 200, Austin, Texas 78752, (512) 463-5545.

Filed: September 14, 1995, 2:47 p.m.

TRD-9511812

Railroad Commission of Texas

Monday, September 25, 1995, 2:00 p.m.

1701 North Congress Avenue, 12th Floor Conference Room 12-126

Austin

AGENDA:

The commission will hold its monthly statewide hearing on oil and gas to determine the lawful market demand for oil and gas and to consider and/or take action on matters listed on the agenda posted with the Secretary of State's Office.

Contact: Paula Middleton, P.O. Box 12967, Austin, Texas 78711, (512) 463-6729.

Filed: September 15, 1995, 9:56 a.m.

TRD-9511832

Texas Rehabilitation Commission

Thursday, September 28, 1995, at 9:30 a.m.

4900 North Lamar Boulevard, Brown-Heatly Building, Public Hearing Room, First Floor

Austin

Board of the Texas Rehabilitation Commission

AGENDA:

Roll call-introduction of guests-invocation

Approval of minutes: June 22, 1995 board meeting-Commissioner's comments

Election of a vice-chair and secretary-report on Management Audit Peer review

Update on re-engineering of the rehabilitation process-Legislative update

Financial and Planning Services update-Administrative Services update

Rehabilitation Services update-Disability Determination Services update

Management Audit update

-Approval of fiscal year 1996 audit plan

-State Auditor's management control audit update

Major medical provider update

Executive session

Review of potential litigation, personnel practices, and staff presentations involving the Texas Rehabilitation Commission, Disability Determination Services and Management Audit. These subjects will be discussed in executive session pursuant to §§551.071, and 551.074, 551.075 of the Open Meetings Act (Texas Government Code Annotated, Chapter 551).

Adjournment

If all agenda items have been completed, the board will adjourn. If all agenda items have not been completed, the board will recess until 9:30 a.m., Friday, September 29, 1995, to reconvene in the Public Hearing Room, First Floor, Brown-Heatly Building, 4900 North Lamar Boulevard, Austin, Texas.

Contact: Charles Schiesser, 4900 North Lamar Boulevard, Suite 7300, Austin, Texas 78751, (512) 483-4051 or T.D.D. (512) 483-4045. For ADA assistance, call Oleta Grizzle, (512) 483-4057.

Filed: September 19, 1995, 9:32 a.m.

TRD-9511939

Friday, September 29, 1995, 9:30 a.m.
4900 North Lamar Boulevard, Brown-
Healy Building, Public Hearing Room,
First Floor

Austin

Board of the Texas Rehabilitation Commis-
sion

AGENDA:

Roll call

Introduction of guests

Continuation of board agenda from Septem-
ber 28, 1995

Executive session:

Review of potential litigation, personnel
practices, and staff presentations involving
the Texas Rehabilitation Commission, Dis-
ability Determination Services and Manage-
ment Audit. These subjects will be dis-
cussed in executive session pursuant to
§§551.071, 551.074, and 551.075 of the
Open Meetings Act (Texas Government
Code Annotated, Chapter 551).

Adjournment

Contact: Charles Schiesser, 4900 North
Lamar Boulevard, Suite 7300, Austin,
Texas 78751, (512) 483-4051 or T.D.D.
(512) 483-4045. For ADA assistance, call
Oleta Grizzle, (512) 483-4057.

Filed: September 19, 1995, 9:32 a.m.

TRD-9511940

◆ ◆ ◆ ^
**Texas Savings and Loan De-
partment**

Thursday, October 5, 1995, 9:00 a.m.

Finance Commission Building, 2601 North
Lamar Boulevard, Third Floor

Austin

AGENDA:

The purpose of this meeting (hearing) is to
accumulate a record of evidence in regard
to the application of Sulphur Springs Loan
and Building Association, Sulphur Springs,
Texas to operate a branch office at 3707
Sowell, Texarkana, Bowie, County, Texas
from which record the commissioner will
determine whether to grant or deny the ap-
plication.

Contact: Teresa Scarborough, 2601 North
Lamar Boulevard, Suite 201, Austin, Texas
78705, (512) 475-1350.

Filed: September 18, 1995, 11:29 a.m.

TRD-9511904

Monday, October 9, 1995, 9:00 a.m.

Finance Commission Building, 2601 North
Lamar Boulevard, Third Floor

Austin

AGENDA:

The purpose of this meeting (hearing) is to
accumulate a record of evidence in regard
to the application of Life Savings Bank,
SSB, Austin, Texas to operate a branch
office at 500 West Sixth Street, Austin,
Travis County, Texas from which record
the Commissioner will determine whether
to grant or deny the application.

Contact: Teresa Scarborough, 2601 North
Lamar Boulevard, Suite 201, Austin, Texas
78705, (512) 475-1350.

Filed: September 18, 1995, 11:29 a.m.

TRD-9511903

Friday, October 13, 1995, 9:00 a.m.

Finance Commission Building, 2601 North
Lamar Boulevard, Third Floor

Austin

AGENDA:

The purpose of this meeting (hearing) is to
accumulate a record of evidence in regard
to the application of Sulphur Springs Loan
and Building Association, Sulphur Springs,
Texas to reorganize into a holding company
form of ownership from which record the
commissioner will determine whether to
grant or deny the application.

Contact: Teresa Scarborough, 2601 North
Lamar Boulevard, Suite 201, Austin, Texas
78705, (512) 475-1350.

Filed: September 18, 1995, 11:29 a.m.

TRD-9511902

◆ ◆ ◆ ^
**Stephen F. Austin State Uni-
versity**

Friday, September 22, 1995, 1:15 p.m.

1936 North Street, Room 307, Austin
Building

Nacogdoches

Board of Regents Buildings Committee

AGENDA:

1. Open session

A. Review planned HEAF expenditures for
1995-1996

B. Review Austin Building renovation plans

C. Review architect, engineering and con-
sultant needs

D. Review CFC-11 plans

Contact: Dan Angel, P.O. Box 6078, Nac-
ogdoches, Texas 75962-6078, (409)
468-2201.

Filed: September 18, 1995, 4:16 p.m.

TRD-9511922

**Texas State Technical Col-
lege System**

Saturday, September 23, 1995, 9:00 a.m.

Texas State Technical College System,
Lance Sears Building, Conference Room

Sweetwater

Revised Agenda

Board of Regents

AGENDA:

Add: Appointment of Texas State Technical
College System Director of Audits

Contact: Sandra J. Krumnow, 3801 Cam-
pus Drive, Waco, Texas 76705, (817)
867-4890.

Filed: September 18, 1995, 3:46 p.m.

TRD-9511920

Saturday, September 23, 1995, 9:15 a.m.

TSTC Sweetwater Campus, Lance Sears
Building, Conference Room

Sweetwater

Revised Agenda

Board of Regents Executive Session

AGENDA:

Add: V A. Discuss job descriptions, assign-
ments, and administrative responsibilities
for the Texas State Technical College, Sys-
tem for the positions of Director of Audits
and Governmental Specialist.

Contact: Sandra J. Krumnow, 3801 Cam-
pus Drive, Waco, Texas 76705, (817)
867-4890.

Filed: September 18, 1995, 3:46 p.m.

TRD-9511919

◆ ◆ ◆ ^
**University of Texas Health
Science Center at San An-
tonio**

Wednesday, September 27, 1995, 3:00
p.m.

7703 Floyd Curl Drive, Room 422A

San Antonio

Institutional Animal Care and Use Commit-
tee

AGENDA:

1. Approval of minutes

2. Protocols for review

3. Subcommittee reports

4. Other business

Contact: Molly Greene, 7703 Floyd Curl
Drive, San Antonio, Texas 78284-7822,
(210) 567-3717.

Filed: September 18, 1995, 1:25 p.m.

TRD-9511907

◆ ◆ ◆
**University of Texas M. D.
Anderson Cancer Center**

Tuesday, September 19, 1995, 9:00 a.m.

1515 Holcombe Boulevard, Room
AW7.707

Houston

Institutional Animal Care and Use Commit-
tee

AGENDA:

Review of protocols for animal care and use
and modifications thereof

Contact: Anthony Mastromarino, Ph.D.,
1515 Holcombe Boulevard, Box 101, Hous-
ton, Texas 77030, (713) 792-3220.

Filed: September 14, 1995, 3:07 p.m.

TRD-9511817

◆ ◆ ◆
**Texas Workers' Compensation
Insurance Fund**

Tuesday, September 26, 1995, 6:30 p.m.

98 San Jacinto Boulevard, Plaza Suite 516

Austin

Board of Directors

AGENDA:

The Board of Directors of the Texas Work-
ers' Compensation Insurance Fund (Fund)
will have an informal dinner at 6:30 p.m. on
Tuesday, September 26, 1995. The dinner is
intended to be a social event, and there is
no formal agenda. No formal action will be
taken, but it is possible that discussions
could occur which could be construed to be
"deliberations" within the meaning of the
Open Meetings Act; therefore, the dinner
will be treated as an "open meeting" and the
public will be allowed to observe. However,
dinner will be provided only for the Board
of Directors of the Fund and invited guests.
No dinner or refreshments will be provided
for members of the public who may wish to
attend.

Contact: Jeanette Ward, 100 Congress Av-
enue, Austin, Texas 78701, (512) 404-7142.

Filed: September 18, 1995, 2:35 p.m.

TRD-9511916

**Wednesday, September 27, 1995, 8:30
a.m.**

100 Congress Avenue, Suite 600

Austin

Board of Directors

AGENDA:

Call to order; roll call; review and approval
of the minutes of the August 30, 1995,
board meeting; action items; consideration
of change in maintenance tax surcharge
waiver; consideration of Bond Reduction
Program; consideration of establishing
methods to notify consumers of means for
filing complaints; financial report; fund
status report; informational items; report of the
Administrative Committee; report of the Fi-
nance Committee; report of the Operations
Committee; report of the Organizational Ef-
fectiveness Committee; public participation;
executive session; action items resulting
from executive session deliberations; an-
nouncements; and adjourn.

Contact: Jeanette Ward, 100 Congress Av-
enue, Austin, Texas 78701, (512) 404-7142.

Filed: September 19, 1995, 8:49 a.m.

TRD-9511932

◆ ◆ ◆
Texas Workforce Commission

Tuesday, September 26, 1995, 9:00 a.m.

Room 644, TEC Building, 101 East 15th
Street

Austin

AGENDA:

Prior meeting notes; executive session to
discuss qualifications and duties of execu-
tive director; actions, if any, resulting from
executive session; staff reports; internal pro-
cedures of commission appeals; consider-
ation and action on tax liability cases and
higher level appeals in unemployment com-
pensation cases listed on Commission
Docket 39; and set date of next meeting.

Contact: C. Ed Davis, 101 East 15th Street,
Austin, Texas 78778, (512) 463-2291.

Filed: September 18, 1995, 3:52 p.m.

TRD-9511921

◆ ◆ ◆
Regional Meetings

**Meetings Filed September 14,
1995**

The Burke Center Board of Trustees will
meet at 4101 South Medford Drive, Lufkin,
September 26, 1995, at 11:00 a.m. Informa-
tion may be obtained from Sandra J. Vann,
4101 South Medford Drive, Lufkin, Texas
75901, (409) 639-1141. TRD-9511808.

The Burke Center Board of Trustees will
meet at 4101 South Medford Drive, Lufkin,
September 26, 1995, at 1:00 p.m. Informa-
tion may be obtained from Sandra J. Vann,
4101 South Medford Drive, Lufkin, Texas
75901, (409) 639-1141. TRD-9511809.

**The Golden Crescent Regional Planning
Commission General Assembly** met at the
Formosa Guest House, 101 Formosa Drive,
Point Comfort, September 21, 1995, at 7:00
p.m. Information may be obtained from
Rhonda G. Stastny, P.O. Box 2028, Victo-
ria, Texas 77902, (512) 578-1587. TRD-
9511819.

**The Golden Crescent Regional Planning
Commission Board of Directors** met at the
Formosa Guest House, 101 Formosa Drive,
Point Comfort, September 21, 1995, at 8:30
p.m. Information may be obtained from
Rhonda G. Stastny, P.O. Box 2028, Victo-
ria, Texas 77902, (512) 578-1587. TRD-
9511820.

The Hays County Appraisal District Ap-
praisal Review Board met at 21001 North
IH-35, Kyle, September 19, 1995, at 9:00
a.m. Information may be obtained from
Lynell Sedlar, 21001 North IH-35, Kyle,
Texas 78640, (512) 268-2522. TRD-
9511813.

**The Johnson County Central Appraisal
District Board of Directors** met at 109
North Main, Suite 201, Room 202,
Cleburne, September 21, 1995, at 4:30 p.m.
Information may be obtained from Priscilla
A. Bunch, 109 North Main, Cleburne,
Texas 76031, (817) 558-8100. TRD-
9511794.

**The Panhandle Regional Planning Com-
mission Board of Directors** met at the Ama-
rillo Civic Center, Sixth and Buchanan,
Amarillo, September 21, 1995, at 3:30 p.m.
Information may be obtained from Rebecca
Rusk, P.O. Box 9257, Amarillo, Texas
79105, (806) 372-3381. TRD-9511818.

**The Tarrant Appraisal District Tarrant
Appraisal Review Board** will meet at 2329
Gravel Road, Fort Worth, October 2-6,
10-13, and 16-20, 1995, at 8:00 a.m. Infor-
mation may be obtained from Linda G.
Smith, 2329 Gravel Road, Fort Worth,
Texas 76118-6984, (817) 284-8884. TRD-
9511807.

◆ ◆ ◆
**Meetings Filed September 15,
1995**

**The Atascosa County Appraisal District
Appraisal Review Board** met at Fourth and
Avenue J, Poteet, September 20, 1995, 9:30
a.m. Information may be obtained from
Vernon A. Warren, P.O. Box 139, Poteet,
Texas 78065, (210) 742-3591. TRD-
9511826.

**The Dallas Area Rapid Transit Bylaws
Ad Hoc Committee** met in Conference
Room B, 1401 Pacific, Dallas, September
19, 1995, at 11:00 a.m. Information may be
obtained from Paula J. Bailey, P.O. Box
660163, Dallas, Texas 75266-0163. TRD-
9511882.

The Dallas Area Rapid Transit (Reception for former chair Kathy Ingle) met at the Dallas World Aquarium, 1801 North Griffin, Dallas, September 20, 1995, at 5:00 p.m. Information may be obtained from Paula J. Bailey, P.O. Box 660163, Dallas, Texas 75266-0163, (214) 749-3371. TRD-9511881.

The Golden Crescent Private Industry Council Oversight Committee met at 2401 Houston Highway, Victoria, September 18, 1995, at 6:30 p.m. Information may be obtained from Sandy Heiermann, 2401 Houston Highway, Victoria, Texas 77901, (512) 576-5872. TRD-9511858.

The Golden Crescent Private Industry Council Executive Committee met at 2401 Houston Highway, Victoria, September 20, 1995, at 6:30 p.m. Information may be obtained from Sandy Heiermann, 2401 Houston Highway, Victoria, Texas 77901, (512) 576-5872. TRD-9511857.

The Gonzales County Appraisal District Board of Directors met at 928 St. Paul, Gonzales, September 21, 1995, at 6:00 p.m. Information may be obtained from Connie Barfield or Glenda Strackbein, 928 St. Paul, Gonzales, Texas 78629, (210) 672-2879, Fax (210) 672-8345. TRD-9511869.

The Grayson Appraisal District Board of Directors will meet at 205 North Travis, Sherman, September 27, 1995, at Noon. Information may be obtained from Angie Keeton, 205 North Travis, Sherman, Texas 75090, (903) 893-9673. TRD-9511836.

The Harris County Appraisal District will meet at 2800 North Loop West, Eighth Floor, Houston, September 22, 1995, at 8:00 a.m. Information may be obtained from Susan Jordan, 2800 North Loop West, Houston, Texas 77092, (713) 957-5222. TRD-9511852.

The Heart of Texas Council of Governments Private Industry Council met at 300 Franklin Avenue, Waco, September 21, 1995, at 5:30 p.m. Information may be obtained from Donna Teat, 300 Franklin Avenue, Waco, Texas 76701, (817) 756-7822. TRD-9511854.

The Heart of Texas Council of Governments Executive Committee will meet at 300 Franklin Avenue, Waco, September 28, 1995, at 10:00 a.m. Information may be obtained from Donna Teat, 300 Franklin Avenue, Waco, Texas 76701, (817) 756-7822. TRD-9511853.

The Johnson County Rural Water Supply Corporation Tariff Committee met at the Corporation Office, 2849 Highway 171 South, Cleburne, September 19, 1995, at 5:30 p.m. Information may be obtained from Peggy Johnson, P.O. Box 509, Cleburne, Texas 76033, (817) 645-6646. TRD-9511835.

The Johnson County Rural Water Supply Corporation Board (Regular Meeting) met at the Corporation Office, 2849 Highway 171 South, Cleburne, September 19, 1995, at 6:00 p.m. Information may be obtained from Peggy Johnson, P.O. Box 509, Cleburne, Texas 76033, (817) 645-6646. TRD-9511834.

The Lampasas County Appraisal District Board of Directors met at 109 East Fifth Street, Lampasas, September 21, 1995, at 7:00 p.m. Information may be obtained from Tommy L. Watson, P.O. Box 175, Lampasas, Texas 76550, (512) 556-8058. TRD-9511855.

The Lower Colorado River Authority Board of Directors met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, September 19, 1995, at 8:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3287. TRD-9511845.

The Lower Colorado River Authority Audit Committee met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, September 20, 1995, and reconvening, if necessary, September 21, 1995, at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3287. TRD-9511843.

The Lower Colorado River Authority Board of Directors met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, September 20, 1995, and reconvening, if necessary, September 21, 1995, at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3287. TRD-9511837.

The Lower Colorado River Authority Community Resources and Development Committee met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, September 20, 1995, and reconvening, if necessary, September 21, 1995, at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3287. TRD-9511844.

The Lower Colorado River Authority Conservation and Environmental Protection Committee met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, September 20, 1995, and reconvening, if necessary, September 21, 1995, at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3287. TRD-9511841.

The Lower Colorado River Authority Energy Operations Committee met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, September 20, 1995,

and reconvening, if necessary, September 21, 1995, at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3287. TRD-9511839.

The Lower Colorado River Authority Finance and Administration Committee met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, September 20, 1995, and reconvening, if necessary, September 21, 1995, at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3287. TRD-9511842.

The Lower Colorado River Authority Natural Resources Committee met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, September 20, 1995, and reconvening, if necessary, September 21, 1995, at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3287. TRD-9511840.

The Lower Colorado River Authority Planning and Public Policy Committee met at 3701 Lake Austin Boulevard, Hancock Building, Board Room, Austin, September 20, 1995, and reconvening, if necessary, September 21, 1995, at 9:00 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, Austin, Texas 78767, (512) 473-3287. TRD-9511838.

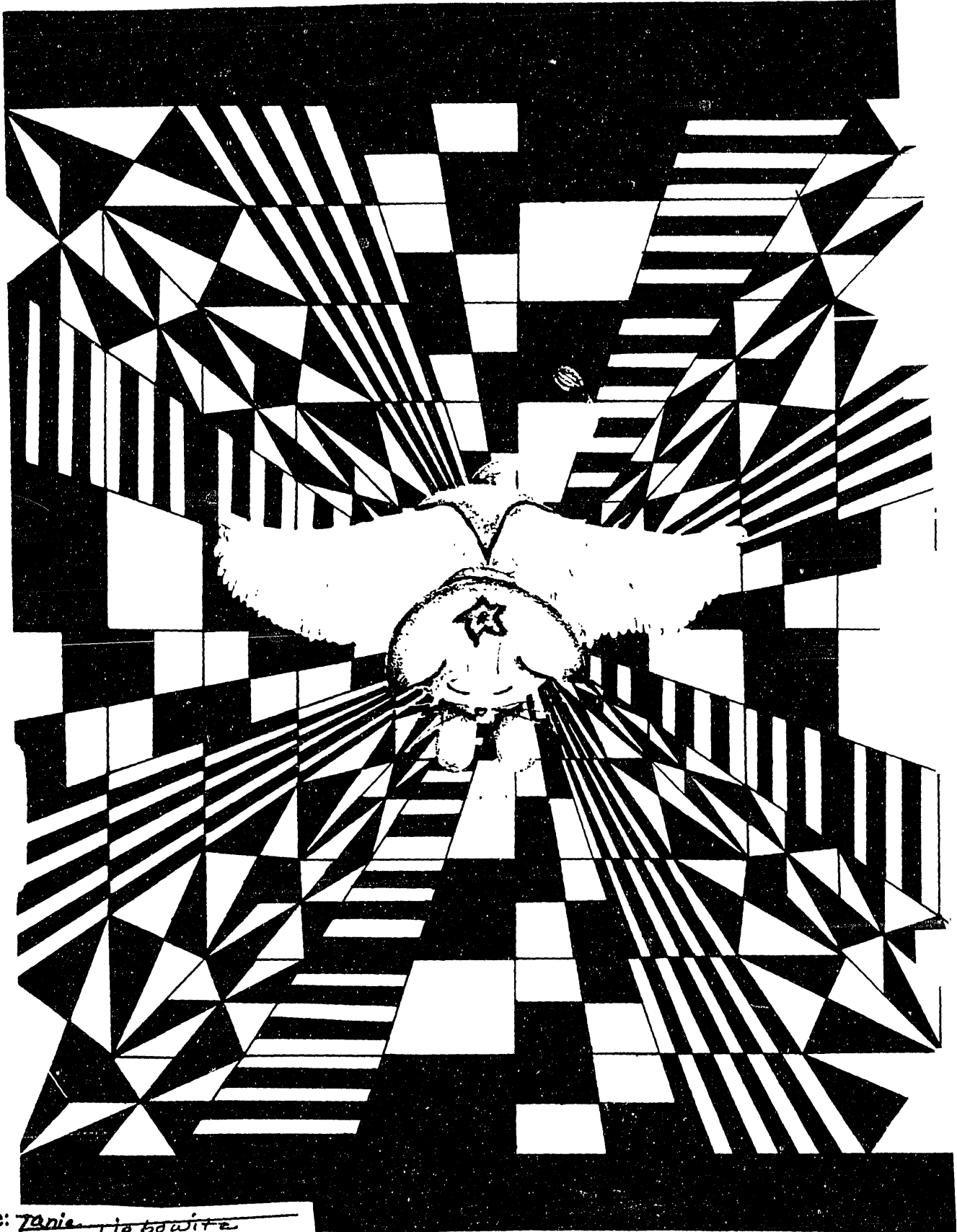
The Lubbock Regional MHMR Center Board of Trustees met at Sunrise Canyon, East 19th Street and Aspen Avenue, Lubbock, September 21, 1995, at 11:30 a.m. Information may be obtained from Gene Menefee, P.O. Box 2828, Lubbock, Texas 79408, (806) 766-0202. TRD-9511046.

The Panhandle Quality Work Force Panhandle Quality Work Force Planning Committee met at 415 West Eighth Avenue, Amarillo, September 20, 1995, at 3:00 p.m. Information may be obtained from Deborah Pickering, P.O. Box 9257, Amarillo, Texas 79105-9257, (806) 372-3381. TRD-9511856.

The Riceland Regional Mental Health Authority Joint Hospital Committee met at 6410 Airport, Rosenberg, September 21, 1995, at 10:30 a.m. Information may be obtained from Marjorie Dornak, P.O. Box 869, Wharton, Texas 77488, (409) 532-3098. TRD-9511885.

The Riceland Regional Mental Health Authority Board of Trustees met at 6410 Airport, Rosenberg, September 21, 1995, at Noon. Information may be obtained from Marjorie Dornak, P.O. Box 869, Wharton, Texas 77488, (409) 532-3098. TRD-9511886.

The San Antonio-Bexar County Metropolitan Planning Organization Transportation Steering Committee will meet at the International Conference Center of the Con-



Artist Name: Zanie Liebowitz
School District: Plano
School: Hendrick M.S.
Grade: 8

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, changes in interest rate and applications to install remote service units, and consultant proposal requests and awards.

To aid agencies in communicating information quickly and effectively, other information of general interest to the public is published as space allows.

Texas Department of Agriculture Boll Weevil Eradication Penalty Matrix

The Texas Agriculture Code (the Code) at Chapter 74, Subchapter D, (Vernon, 1995, as amended by Senate Bill 1196, 74th Legislature, 1995) provides for the establishment of the Texas Boll Weevil Eradication Foundation (the foundation) as a vehicle for developing and implementing programs for the suppression and eradication of the boll weevil and pink bollworm in Texas. The foundation is charged with the establishing of eradication zones and assessments by referenda of eligible cotton growers. The Code, §74.118, provides the department with the authority to establish rules relating to prohibition of planting of cotton in an eradication zone and participation in an eradication program established by the foundation and to set penalties to be assessed against cotton growers in an established boll weevil eradication zone who have failed to comply with department rules. Those rules are found at Title 4, Texas Administrative Code, §§3.50-3.57. The department has developed the following penalty matrix to ensure that the department's administrative enforcement actions are fair, uniform, consistent, and appropriate. This matrix is effective immediately upon publication.

Non-Reporting

Upon notification from the Foundation that a grower failed to timely report information regarding cotton acreage and

location, the department shall send a letter of notification and assess a penalty based on the following.

NOTE: This penalty is separate from and in addition to the Foundation's assessment and will not exceed \$25 per acre. The penalty shall be based on the following:

1. A producer shall owe a penalty in the amount of 10% of the amount assessed on all unreported acreage if the information regarding cotton acreage and location is received within 20 days of issuance of a notification letter by the department.
2. A producer shall owe a penalty in the amount of 20% of the amount assessed on all unreported acreage if the information regarding cotton acreage and location is received after 20 days but not later than 60 days after the issuance of a notification letter by the department.
3. A producer shall owe a penalty in the amount of 30% of the amount assessed on all unreported acreage if information regarding cotton acreage and location is received after 60 days but not later than 90 days after issuance of a notification letter by the department.
4. A producer shall owe a penalty in the amount of 40% of the amount assessed on all unreported acreage if information regarding cotton acreage and location is received 91 days or more after issuance of a notification letter by the department.

Texas Department of Agriculture

Situation	Penalty Assessment
If information is reported:	Penalty is based on unreported acreage in the amount of:
Up to and including the 20th day after notification by the department.	10% of the assessment amount.
After 20 and up to and including 60 days after notification by the department.	20% of the assessment amount.
After 60 days and up to and including 90 days after notification by the department.	30% of the assessment amount.
More than 90 days after notification by the department.	40% of the assessment amount.

176-Boll Weevil Eradication Penalty Matrix-Figure 1

Texas Department of Agriculture

Situation	Penalty Assessment
If assessment payment is received:	Penalty is based on unpaid assessment in the amount of:
Up to and including the 20th day after notification by the department.	10% of the unpaid assessment amount.
After 20 and up to and including 60 days after notification by the department.	20% of the unpaid assessment amount.
After 60 and up to and including 90 days after notification by the department.	30% of the unpaid assessment amount.
More than 90 days and after notification by the department.	40% of the unpaid assessment amount.

176-Boll Weevil Eradication Penalty Matrix-Figure 2

Issued in Austin, Texas on September 18, 1995.

TRD-9511892

Dolores Alvarado Hibbe
Chief Administrative Law Judge
Texas Department of Agriculture

Filed: September 18, 1995

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Comptroller of Public Accounts
Notices of Request for Proposals

Pursuant to the Texas Government Code, Chapter 2254, Subchapter B, and House Bill 1214, passed earlier this year by the 74th Legislature and which amended Texas Education Code, Chapter 54, to add Subchapter F, the Comptroller of Public Accounts (Comptroller) announces the issuance of a Request for Proposals (RFP) for the purpose of hiring a consultant to assist the Comptroller with records administration services in connection with the establishment of a prepaid higher education tuition program. House Bill 1214 provides that the program be administered by a seven member Prepaid Higher Education Tuition Board (Board). The Comptroller is the executive director and chairperson of the Board. The fund to be created to hold funds from contracts and investments of the program is to be known as the Texas Tomorrow Fund. The Board is authorized to enter into one or more contracts for the performance of services relating to establishing and maintaining the program. The Comptroller, as executive director of the Board, is issuing this RFP in order that the Board may move forward with retaining services necessary to establish the program, provided that the vendor recommended by the Comptroller pursuant to this RFP process will be subject to approval by the Board. The Comptroller has identified records administration services as a service required to establish the program. If approved by the Board, the successful proposer will be expected to begin performance of the contract on or about November 6, 1995.

Contact: Parties interested in submitting a proposal should contact the Comptroller of Public Accounts, Senior Legal Counsel's Office, 111 East 17th Street, Room 113, Austin, Texas 78774, (512) 475-0866, to obtain a complete copy of the RFP. The RFP will be available for pick-up at the above referenced address on Friday, September 22, 1995, between 4:00 p.m. and 5:00 p.m. Central Zone Time (CZT), and during normal business hours thereafter. All written inquiries and mandatory letters of intent to propose must be received at the above-referenced address prior to 4:00 p.m. (CZT) on Wednesday, October 4, 1995.

Closing Date: Proposals must be received in the Senior Legal Counsel's Office no later than 4:00 p.m. (CZT), on Friday, October 20, 1995. Proposals received after this time and date will not be considered.

Award Procedure: All proposals will be subject to evaluation by a committee based on the evaluation criteria set forth in the RFP. The committee will determine which proposal best meets these criteria and will make a recommendation to the Deputy Comptroller, who will then make a recommendation to the Comptroller. The Comptroller will make the final selection as to a proposer to be recommended to the Board. A proposer may be asked to clarify its proposal, which may include an oral presentation prior to final selection.

The Comptroller reserves the right to accept or reject any or all proposals submitted. Neither the Comptroller nor the Board is under any legal or other obligation to execute a contract on the basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits the Comptroller or the Board to pay for any costs incurred prior to the execution of a contract.

The anticipated schedule of events is as follows: Issuance of RFP-September 22, 1995, 4:00 p.m. (CZT); Mandatory Letter of Intent and Questions Due-October 4, 1995, 4:00 p.m. (CZT); Proposals Due-October 20, 1995, 4:00 p.m. (CZT); and Contract Execution-November 6, 1995, or soon thereafter as possible.

Issued in Austin, Texas, on September 18, 1995.

TRD-9511898

Arthur F. Lortog
Senior Legal Counsel
Comptroller of Public Accounts

Filed: September 18, 1995

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Pursuant to the Texas Government Code, Chapter 2254, Subchapter B, and House Bill 1214, passed earlier this year by the 74th Legislature and which amended Texas Education Code, Chapter 54, to add Subchapter F, the Comptroller of Public Accounts (Comptroller) announces the issuance of a Request for Proposals (RFP) for the purpose of hiring a consultant to assist the Comptroller with marketing agent services in connection with the establishment of a prepaid higher education tuition program. House Bill 1214 provides that the program be administered by a seven member Prepaid Higher Education Tuition Board (Board). The Comptroller is the executive director and chairperson of the Board. The fund to be created to hold funds from contracts and investments of the program is to be known as the Texas Tomorrow Fund. The Board is authorized to enter into one or more contracts for the performance of services relating to establishing and maintaining the program. The Comptroller, as executive director of the Board, is issuing this RFP in order that the Board may move forward with retaining services necessary to establish the program, provided that the vendor recommended by the Comptroller pursuant to this RFP process will be subject to approval by the Board. The Comptroller has identified marketing agent services as a service required to establish the program. If approved by the Board, the successful proposer will be expected to begin performance of the contract on or about November 6, 1995.

Contact: Parties interested in submitting a proposal should contact the Comptroller of Public Accounts, Senior Legal Counsel's Office, 111 East 17th Street, Room 113, Austin, Texas 78774, (512) 475-0866, to obtain a complete copy of the RFP. The RFP will be available for pick-up at the above referenced address on Friday, September 22, 1995, between 4:00 p.m. and 5:00 p.m. Central Zone Time (CZT), and during normal business hours thereafter. All written inquiries and mandatory letters of intent to propose must be received at the above-referenced address prior to 4:00 p.m. (CZT) on Wednesday, October 4, 1995.

Closing Date: Proposals must be received in the Senior Legal Counsel's Office no later than 4:00 p.m. (CZT), on Friday, October 20, 1995. Proposals received after this time and date will not be considered.

Award Procedure: All proposals will be subject to evaluation by a committee based on the evaluation criteria set forth in the RFP. The committee will determine which proposal best meets these criteria and will make a recommendation to the Deputy Comptroller, who will then make a recommendation to the Comptroller. The Comptroller will make the final selection as to a proposer to be recommended to the Board. A proposer may be asked to clarify its proposal, which may include an oral presentation prior to final selection.

The Comptroller reserves the right to accept or reject any or all proposals submitted. Neither the Comptroller nor the Board is under any legal or other obligation to execute a contract on the basis of this notice or the distribution of an RFP. Neither this notice nor the RFP commits the Comptroller or the Board to pay for any costs incurred prior to the execution of a contract.

The anticipated schedule of events is as follows: Issuance of RFP-September 22, 1995, 4:00 p.m. (CZT); Mandatory Letter of Intent and Questions Due-October 4, 1995, 4:00 p.m. (CZT); Proposals Due-October 20, 1995, 4:00 p.m. (CZT); and Contract Execution-November 6, 1995, or soon thereafter as possible.

Issued in Austin, Texas, on September 18, 1995.

TRD-9511899 Arthur F. Lorton
Senior Legal Counsel
Comptroller of Public Accounts

Filed: September 18, 1995

Office of the Governor-Criminal Justice Division

Notice of Invitation for Application

The Criminal Justice Division (CJD), Office of the Governor, will be accepting applications for grants to be awarded under the Crime Stoppers Assistance Fund (CSAF) for certified local Crime Stoppers programs in the State of Texas January 1, 1996 through October 31, 1996. Eligibility is limited to certified Crime Stoppers programs only and awards will be based on need and justification of that need. In addition to the requirements outlined in the Criminal Justice Division Grant Application and Administration Guidelines, programs should demonstrate productivity and their active attempt to fulfill their local needs. Eligible projects and activities include: Statewide/regional training programs, daily operations and innovative projects. Funding Amounts: Grant applications are limited to a minimum grant award of \$1,000 and a maximum award of \$10,000. An overall 25% cash match of the total grant is required. Equipment purchases require a cash match of 50% of the total cost of the equipment. Discounts given on equipment are not applicable toward this cash requirement. A new project, defined as a newly chartered and certified program or a program that has never received funding through CSAF, qualifies for 100% funding only under the budgetary Schedule F, Supplies and Direct Operating Expenses.

Contact Person: Detailed specification including the selection process, application kits and certification requirements are available through Texas Criminal Justice Division, Office of the Governor. If additional information is needed, contact David Cobos or Manny Romero at (512) 463-1784.

Closing Date for Receipt of Application: The original and one copy of the application must be received by mail or hand delivered by 5:00 p.m. on November 22, 1995, Office of the Governor, Criminal Justice Division, Attention: Grant Administration, P.O. Box 12428, Austin, Texas 78711. Late applications will not be considered.

Selection Process: All grant applications undergo an initial staff review for completeness and eligibility. The staff will then make funding recommendations to the full Crime Stoppers Advisory Council, which, in turn, will make recommendations to the Governor. All final funding decisions are made by the Governor.

Issued in Austin, Texas, on September 13, 1995.

TRD-9511763 Pete Wassdorf
Deputy General Counsel
Office of the Governor

Filed: September 13, 1995

Texas Department of Health

Applicants for Appointment to the Medical Device Distributors and Manufacturers Advisory Committee

The Texas Department of Health (TDH) is seeking applicants for appointment to the Medical Device Distributors and Manufacturers Advisory Committee. This advisory committee was mandated by amendments to Health and Safety Code, Chapter 431, which occurred as the result of the 74th Texas Legislature. The purpose and tasks of this committee are outlined in Health and Safety Code, §431.275. It is anticipated that the committee will meet two times during the next 12 months.

There are currently five vacant positions on this committee. The positions are for two public members and three industry representatives with staggered terms of three years.

If you wish to be considered for appointment to any of these positions, please contact Cynthia Culmo, R.Ph., Director, Drugs and Medical Devices Division, Texas Department of Health, 1100 West 49th Street, Austin, Texas 78756, (512) 719-0200. Applications must be received by TDH no later than 5:00 p.m., November 17, 1995.

In accordance with policies and procedures of the Texas Board of Health, selection criteria will include the nominee's background, desire and ability to serve, accessibility, and geographical location; and the nominee must meet the requirements of the position for which he or she is nominated.

Due to budget constraints, the advisory committee's travel expenses will not be funded for the 1996-1997 biennium. Therefore, members will be required to pay their own travel expenses, including transportation, lodging, meals, and incidentals such as parking fees and taxis.

Issued in Austin, Texas, on September 18, 1995.

TRD-9511898 Susan K. Steeg
General Counsel
Texas Department of Health

Filed: September 18, 1995

Correction of Error

The Texas Department of Health adopted new §289.230. The rule appeared in the August 25, 1995, issue of the *Texas Register* (20 TexReg 6664).

Due to *Texas Register* error the adopted rule was published in the proposed section as well as the adopted section. The rule should not have appeared in the proposed section.



Extension of Deadline—Tuberculosis Innovative Demonstration Project Grants Program Request for Proposal

The Texas Department of Health (department) published a request for proposal (RFP) for the development of innovative demonstration projects that will lead to a decrease in tuberculosis morbidity in the September 12, 1995, issue of the *Texas Register* (20 TexReg 7226).

The original deadline for proposals to be considered for funding through the RFP was Monday, October 2, 1995. The deadline, however, has been extended to 5:00 p.m., on Monday, October 9, 1995.

To obtain a complete copy of the RFP, please contact Paula Watrous, Texas Department of Health, Tuberculosis Elimination Division, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7447.

Issued in Austin, Texas, on September 18, 1995.

TRD-9511895 Susan K. Staeg
General Counsel
Texas Department of Health

Filed: September 18, 1995



County Number	County Name	Number of Months Over	FEB	MAR	APR	MAY	JUN	JUL
			033	CARSON	6	100.0	100.0	100.0

Issued in Austin, Texas, on September 18, 1995.

TRD-9511890 Nancy Murphy
Media and Policy Services
Texas Department of Human Services

Filed: September 18, 1995



Open Solicitation for Hansford County

Pursuant to Title 2, the Human Resources Code, Chapters 22 and 32, and 40 TAC §19.2324, in the March 31, 1995, issue of the *Texas Register* (20 TexReg 2443), the Texas Department of Human Services (TDHS) is announcing an open solicitation period of 30 days, effective the date of this public notice, for Hansford County #098, identified as

Texas Department of Human Services Open Solicitation for Carson County

Pursuant to Title 2, the Human Resources Code, Chapters 22 and 32, and 40 TAC §19.2324, in the March 31, 1995, issue of the *Texas Register* (20 TexReg 2443), the Texas Department of Human Services (TDHS) is announcing an open solicitation period of 30 days, effective the date of this public notice, for Carson County #033, identified as listed, where Medicaid contracted nursing facility occupancy rates exceed the threshold (90% occupancy) in each of six months in the continuous, FEBRUARY-JULY 1995, six-month period. Potential contractors seeking to contract for existing beds which are currently licensed as nursing home beds or hospital beds in the counties identified in this public notice must submit a written reply (as described in 40 TAC §19.2324) to TDHS, Gary L. Allen, Certification, Provider Enrollment, and Billing Services, Long Term Care-Regulatory, Mail Code Y-976, Post Office Box 149030, Austin, Texas 78714-9030. The written reply must be received by TDHS by 5:00 p.m. October 23, 1995, the last day of the open solicitation period. Potential contractors will be placed on a waiting list for the primary selection process in the order that the beds which were being proposed for Medicaid certification were initially licensed. The primary selection process will be completed on November 3, 1995. If there are insufficient available beds after the primary selection to reduce occupancy rates to less than 90%, TDHS will place a public notice in the *Texas Register* announcing an additional open solicitation period for those individuals wishing to construct a facility.

listed, where Medicaid contracted nursing facility occupancy rates exceed the threshold (90% occupancy) in each of six months in the continuous, FEBRUARY-JULY 1995, six-month period. Potential contractors seeking to contract for existing beds which are currently licensed as nursing home beds or hospital beds in the counties identified in this public notice must submit a written reply (as described in 40 TAC §19.2324) to TDHS, Gary L. Allen, Certification, Provider Enrollment, and Billing Services, Long Term Care-Regulatory, Mail Code Y-976, Post Office Box 149030, Austin, Texas 78714-9030. The written reply must be received by TDHS by 5:00 p.m., October 23, 1995, the last day of the open solicitation period. Potential contractors will be placed on a waiting list for the primary selection process in the order that the beds which were being proposed for Medicaid certification were initially licensed. The primary selection process will be completed

on November 3, 1995. If there are insufficient available beds after the primary selection to reduce occupancy rates to less than 90%, TDHS will place a public notice in the

Texas Register announcing an additional open solicitation period for those individuals wishing to construct a facility.

County Number	County Name	Number of Months Over	Number of Months Over						
			FEB	MAR	APR	MAY	JUN	JUL	
098	HANSFORD	6	91.8	90.4	94.9	94.3	91.5	93.7	

Issued in Austin, Texas, on September 18, 1995.

TRD-9511891 Nancy Murphy
Media and Policy Services
Texas Department of Human Services

Filed: September 18, 1995

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Texas Natural Resource Conservation Commission

Request for Proposal

The Corpus Christi Bay National Estuary Program (CCBNEP), a Program of the Texas Natural Resources Conservation Commission invites interested municipalities with less than 100,000 residents and local governments within the 12 county area of the CCBNEP study area (Aransas, Bee, Brooks, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, McMullen, Nueces, Refugio, San Patricio) to submit proposals for development of an *URBAN NONPOINT SOURCE POLLUTION REDUCTION PROGRAM FOR SMALL MUNICIPALITIES AND LOCAL GOVERNMENTS IN THE CCBNEP STUDY AREA* to be conducted during Fiscal Year 1996 (Starting date: September 1, 1995).

The CCBNEP is funded through a Cooperative Agreement between the TNRCC of the State of Texas and the U.S. Environmental Protection Agency (EPA). All contracts will be with the TNRCC. Municipalities are encouraged, but not required, to provide cost-sharing. The CCBNEP and TNRCC has received \$40,000 to fund one proposal.

Potential contractors must submit 20 copies of a Proposal Work Plan. The Proposal Work Plan should describe the potential contractor's approach to the project and should be submitted to the CCBNEP Program Office by no later than 5:00 p.m., October 30, 1995. This Request for Proposal is an extension for the date for submittal of the Proposal Work Plan as published on September 15, 1995 at (20 TexReg 7410). This Request for Proposal also contains an extension of the date for the presentation for proposal work plans as previously published. It is the responsibility of the potential contractor to verify that the Proposal Work Plan has been received by the Program Office by the deadline. Faxed Proposal Work Plans will not be accepted.

Appropriate Management Conference Committees will review the Proposal Work Plans and forward initial recommendations to the Management Committee for award. The Management Committee will then require verbal summary

presentations of Proposal Work Plans which meet the minimum requirements as described in the Project Scope of Work and the Guidelines for Proposal Work Plans. Presentations to the Management Committee are scheduled to occur during their December 14, 1995 meeting.

Copies of the Project Scope of Work, Guidelines for Proposal Work Plans, and Guidelines for Verbal Presentations may be obtained by contacting the Program Office. Any and all expenses incurred during the development and/or presentation of Proposal Work Plans shall be the responsibility of the potential contractor. Contract execution is contingent upon funding appropriation to the granting agency.

Send copies of Proposal Work Plan by 5:00 p.m., October 30, 1995 to Corpus Christi Bay National Estuary Program, TAMU-CC, Campus Box 290, 6300 Ocean Drive, Corpus Christi, Texas 78412, ATTENTION: Proposal Work Plan (FY 1996).

Any questions regarding this project or the review process should be directed to Richard Volk, CCBNEP Program Director, at (512) 985-6767.

Issued in Austin, Texas on September 18, 1995.

TRD-9511894 Kevin McCalla
Director, Legal Division
Texas Natural Resource Conservation Commission

Filed: September 18, 1995

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Public Utility Commission of Texas

Notices of Application to Amend Certificate of Convenience and Necessity

Notice is given to the public of the filing with the Public Utility Commission of Texas of an application on September 1, 1995, to amend a Certificate of Convenience and Necessity pursuant to the Public Utility Regulatory Act of 1995, §§1.101, 2.101(e), 2.252, 2.251, 2.253, and 2.255. A summary of the application follows.

Docket Title and Number: Application of Magic Valley Electric Cooperative, Inc. for a Certificate of Convenience and Necessity to Construct a Transmission Line in Hidalgo County, Docket Number 14652 before the Public Utility Commission of Texas.

The Application: In Docket Number 14652, Magic Valley Electric Cooperative, Inc. requests approval of its application to construct approximately 5.45 miles of 138 kV transmission line on single-pole structures.

Persons who wish to intervene in the proceeding or comment upon action sought, should contact the Public Utility Commission of Texas, at 7800 Shoal Creek Boulevard, Suite 400N, Austin, Texas 78757, or call the Public Utility Public Information Division at (512) 458-0388 or (512) 458-0221 for teletypewriter for the deaf within 15 days of this notice.

Issued in Austin, Texas, on September 14, 1995.

TRD-9511800 Paula Mueller
Secretary of the Commission
Public Utility Commission of Texas

Filed: September 14, 1995



Notice is given to the public of the filing with the Public Utility Commission of Texas of an application on September 1, 1995, to amend a Certificate of Convenience and Necessity pursuant to the Public Utility Regulatory Act of 1995, §§1.101, 2.101(e), 2.252, 2.251, 2.253, and 2.255. A summary of the application follows.

Docket Title and Number: Application of Kaufman County Electric Cooperative, Inc. for a Certificate of Convenience and Necessity to Construct a Transmission Line in Scurry County, Docket Number 14653 before the Public Utility Commission of Texas.

The Application: In Docket Number 14653, Kaufman County Electric Cooperative, Inc. requests approval of its application to construct approximately 12.35 miles of 138 kV transmission line.

Persons who wish to intervene in the proceeding or comment upon action sought, should contact the Public Utility Commission of Texas, at 7800 Shoal Creek Boulevard, Suite 400N, Austin, Texas 78757, or call the Public Utility Public Information Division at (512) 458-0388 or (512) 458-0221 for teletypewriter for the deaf within 15 days of this notice.

Issued in Austin, Texas, on September 14, 1995.

TRD-9511801 Paula Mueller
Secretary of the Commission
Public Utility Commission of Texas

Filed: September 14, 1995



Notices of Intent to File Pursuant to Substantive Rule 23.27

Notice is given to the public of the intent to file with the Public Utility Commission of Texas an application pursuant to Public Utility Commission Substantive Rule 23.27 for approval of customer-specific PLEXAR-Custom Service for Northside ISD in San Antonio, Texas.

Tariff Title and Number. Application of Southwestern Bell Telephone Company for PLEXAR-Custom Service for Northside ISD pursuant to Public Utility Commission Substantive Rule 23.27. Tariff Control Number 14702.

The Application. Southwestern Bell Telephone Company is requesting approval of a new PLEXAR-Custom service for Northside ISD. The geographic service market for this specific service is the San Antonio, Texas area.

Persons who wish to comment upon the action sought should contact the Public Utility Commission of Texas, at

7800 Shoal Creek Boulevard, Austin, Texas 78757, or call the Public Utility Commission Consumer Affairs Division at (512) 458-0256 or (512) 458-0221 for teletypewriter for the deaf.

Issued in Austin, Texas, on September 14, 1995.

TRD-9511802 Paula Mueller
Secretary of the Commission
Public Utility Commission of Texas

Filed: September 14, 1995



Notice is given to the public of the intent to file with the Public Utility Commission of Texas an application pursuant to Public Utility Commission Substantive Rule 23.27 for approval of customer-specific PLEXAR-Custom Service for 3M in Austin, Texas.

Tariff Title and Number. Application of Southwestern Bell Telephone Company for PLEXAR-Custom Service for 3M pursuant to Public Utility Commission Substantive Rule 23.27. Tariff Control Number 14693.

The Application. Southwestern Bell Telephone Company is requesting approval of a 75-station addition to the existing PLEXAR-Custom service for 3M in Austin, Texas. The geographic service market for this specific service is the Austin, Texas area.

Persons who wish to comment upon the action sought should contact the Public Utility Commission of Texas, at 7800 Shoal Creek Boulevard, Austin, Texas 78757, or call the Public Utility Commission Consumer Affairs Division at (512) 458-0256, or (512) 458-0221 for teletypewriter for the deaf.

Issued in Austin, Texas, on September 13, 1995.

TRD-9511779 Paula Mueller
Secretary of the Commission
Public Utility Commission of Texas

Filed: September 13, 1995



Notice is given to the public of the intent to file with the Public Utility Commission of Texas an application pursuant to Public Utility Commission Substantive Rule 23.27 for approval of customer-specific PLEXAR-Custom Service for the Cameron County in Brownsville, Texas.

Tariff Title and Number. Application of Southwestern Bell Telephone Company for PLEXAR-Custom Service for the Cameron County in Brownsville, Texas pursuant to Public Utility Commission Substantive Rule 23.27. Tariff Control Number 14692.

The Application. Southwestern Bell Telephone Company is requesting approval of a 75-station addition to the existing PLEXAR-Custom service for the Cameron County in Brownsville, Texas. The geographic service market for this specific service is the Brownsville, Texas area.

Persons who wish to comment upon the action sought should contact the Public Utility Commission of Texas, at 7800 Shoal Creek Boulevard, Austin, Texas 78757, or call the Public Utility Commission Consumer Affairs Division at (512) 458-0256, or (512) 458-0221 for teletypewriter for the deaf.

Issued in Austin, Texas, on September 13, 1995.

TRD-9511778

Paula Mueller
Secretary of the Commission
Public Utility Commission of Texas

Filed: September 13, 1995

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**Notice of Proceeding for Approval of
Extended Area Service**

Notice is given to the public of the filing with the Public Utility Commission of Texas of a joint petition on September 7, 1995, seeking approval of optional, one-way extended area service (EAS) pursuant to the Public Utility Commission of Texas Substantive Rules, §23.49(b)(8). The following is a summary of the joint petition:

JOINT PETITION OF SOUTHWESTERN BELL TELEPHONE COMPANY, THE GOVERNMENTAL REPRESENTATIVE TO THE COMMUNITIES COMPRISING THE DALLAS AND FORT WORTH METROPOLITAN AREAS, AND CERTAIN INDEPENDENT LOCAL EXCHANGE COMPANIES FOR EXTENDED AREA CALLING SERVICE (EAS), Project Number 14686, before the Public Utility Commission of Texas.

The Application. In Project Number 14686, Southwestern Bell Telephone Company, the governmental representative to the communities comprising the Dallas and Fort Worth Metropolitan Areas, and certain Independent Local Exchange Companies seek approval of a joint petition to offer optional, one-way EAS on a flat-rate basis. Basic local exchange customers residing in the Southwestern Bell Telephone Company exchanges electing to subscribe to Dallas Fort Worth Metro EAS will pay flat-rate, monthly additives in addition to their tariffed basic local exchange charges, as follows:

Class of Service

DFW Metro EAS Rate Additive

Residence (per line)

\$30.00

Business (per line)

\$60.00

One-Time EAS Connection Charge

Residence (per line)

\$ 8.00

Business (per line)

\$13.50

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission of Texas, at 7800 Shoal Creek Boulevard, Austin, Texas 78757, or call the Public Utility Commission Consumer Affairs Division at (512) 458-0256, or (512) 458-0221 for teletypewriter for the deaf on or before November 22, 1995.

Issued in Austin, Texas, on September 13, 1995.

TRD-9511777

Paula Mueller
Secretary of the Commission
Public Utility Commission of Texas

Filed: September 13, 1995

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**Texas Water Development Board
Applications Received**

Pursuant to the Texas Water Code, §6.195, the Texas Water Development Board provides notice of the following applications received by the Board:

City of Italy, 101 West Main Street, Italy, Texas 76651, received August 3, 1995, application for financial assistance in the amount of \$1,325,000 from the State Water Pollution Control Revolving Fund.

San Jacinto River Authority-The Woodlands, P.O. Box 329, Conroe, Texas 77305, received August 1, 1995,

application for financial assistance in the amount of \$7,105,000 from Water Supply Account of the Texas Water Development Fund.

City of Crockett, 200 North Fifth Street, Crockett, Texas 75835, received August 8, 1995, application for financial assistance in the amount of \$4,275,000 from the State Water Pollution Control Revolving Fund.

East Cedar Creek Fresh Water Supply District, P.O. Box 309, Mabank, Texas 75147, received May 1, 1995, application for financial assistance in the amount of \$6 million from the Water Supply Account of the Texas Water Development Fund and the State Water Pollution Control Revolving Fund.

Dove Meadows Municipal Utility District, 21327 Golden Dove Drive, Spring, Texas 77388, received August 1, 1995, application for financial assistance in the amount of \$1,460,000 from the State Water Pollution Control Revolving Fund.

City of Texas City, 1801 Ninth Avenue North, Texas City, Texas 77590, received August 23, 1995, application for additional financial assistance in the amount of \$1,750,000 from the State Water Pollution Control Revolving Fund.

Guadalupe-Blanco River Authority-City of Lockhart, P.O. Box 271, Seguin, Texas 78156-0271, received August 1, 1995, application for financial assistance in the amount of \$5,480,000 from the State Water Pollution Control Revolving Fund.

Trinity Bay Conservation District, P.O. Box 580, Anahuac, Texas 77514, received August 1, 1995, application for financial assistance in the amount of \$900,000 from the State Water Pollution Control Revolving Fund.

City of Orange Grove, P.O. Box 350, Orange Grove, Texas 78372-0350, received August 8, 1995, application for financial assistance in the amount of \$400,000 from the State Water Pollution Control Revolving Fund.

City of Weslaco, 500 South Kansas, Weslaco, Texas 78596-6285, received March 1, 1991, application for additional financial assistance in an amount not to exceed \$24,425.55 from the Research and Planning Fund.

San Patricio County, San Patricio Courthouse, Room 105, 400 West Sinton Street, Sinton, Texas 78387, received May 31, 1995, application for financial assistance in an amount not to exceed \$389,750 from the Research and Planning Fund.

Cameron County, P.O. Box 445, Santa Rosa, Texas 78593, received November 1, 1990, application for grant assistance in an amount not to exceed \$15,500 from the Innovative and Alternative Technology funds.

Webb County, P.O. Box 29, Laredo, Texas 78042, received April 1, 1991, application for financial assistance in an amount not to exceed \$35,370 from the Research and Planning Fund.

City of Weslaco, 500 South Kansas, Weslaco, Texas 78596-6285, received February 1, 1995, application for

financial assistance in the amount of \$8,730,000 from the State Water Pollution Control Revolving Fund and the Economically Distressed Areas Account.

Additional information concerning this matter may be obtained from Craig D. Pedersen, Executive Administrator, P.O. Box 13231, Austin, Texas 78711.

Issued in Austin, Texas, on September 13, 1995.

TRD-9511789

Craig D. Pedersen
Executive Administrator
Texas Water Development Board

Filed: September 14, 1995

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Notice of Hearing

The Trans-Texas Water Program Policy Management Committee will meet at the Houstonian Hotel, Evergreen Room, 111 North Post Oak Lane, Houston, Texas, on October 5, 1995, at 9:00 a.m. Information may be obtained from Dennis Crowley, P.O. Box 13231, Austin, Texas, 78711-3231, (512) 463-7976.

Issued in Austin, Texas on September 15, 1995.

TRD-9511870

Craig D. Pedersen
Executive Administrator
Texas Water Development Board

Filed: September 15, 1995
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PUBLICATION SCHEDULE

The following is the 1995 Publication Schedule for the Texas Register. Listed below are the deadline dates for the June-December 1995 issues of the Texas Register. Because of printing schedules, material received after the deadline for an issue cannot be published until the next issue. Generally, deadlines for a Tuesday edition of the Texas Register are Wednesday and Thursday of the week preceding publication, and deadlines for a Friday edition are Monday and Tuesday of the week of publication. No issues will be published on July 7, November 10, November 28, and December 29. An asterisk beside a publication date indicates that the deadlines have been moved because of state holidays.

FOR ISSUE PUBLISHED ON	ALL COPY EXCEPT NOTICES OF OPEN MEETINGS BY 10 A.M.	ALL NOTICES OF OPEN MEETINGS BY 10 A.M.
42 Friday, June 2	*Friday, May 26	Tuesday, May 30
43 Tuesday, June 6	Wednesday, May 31	Thursday, June 1
44 Friday, June 9	Monday, June 5	Tuesday, June 6
45 Tuesday, June 13	Wednesday, June 7	Thursday, June 8
46 Friday, June 16	Monday, June 12	Tuesday, June 13
47 Tuesday, June 20	Wednesday, June 14	Thursday, June 15
48 Friday, June 23	Monday, June 19	Tuesday, June 20
49 Tuesday, June 27	Wednesday, June 21	Thursday, June 22
50 Friday, June 30	Monday, June 26	Tuesday, June 27
51 Tuesday, July 4	Wednesday, June 28	Thursday, June 29
Friday, July 7	NO ISSUE PUBLISHED	
52 Tuesday, July 11	Wednesday, July 5	Thursday, July 6
Friday, July 14	Second Quarterly Index	
53 Tuesday, July 18	Wednesday, July 12	Thursday, July 13
54 Friday, July 21	Monday, July 17	Tuesday, July 18
55 Tuesday, July 25	Wednesday, July 19	Thursday, July 20
56 Friday, July 28	Monday, July 24	Tuesday, July 25
57 Tuesday, August 1	Wednesday, July 26	Thursday, July 27
58 Friday, August 4	Monday, July 31	Tuesday, August 1
59 Tuesday, August 8	Wednesday, August 2	Thursday, August 3
60 Friday, August 11	Monday, August 7	Tuesday, August 8
61 Tuesday, August 15	Wednesday, August 9	Thursday, August 10
62 Friday, August 18	Monday, August 14	Tuesday, August 15
63 Tuesday, August 22	Wednesday, August 16	Thursday, August 17
64 Friday, August 25	Monday, August 21	Tuesday, August 22
65 Tuesday, August 29	Wednesday, August 23	Thursday, August 24
66 Friday, September 1	Monday, August 28	Tuesday, August 29