

Texas Register

Volume 15, Number 70, September 14, 1990

Pages 5331-5390

In This Issue...

Office of the Governor

Appointments Made August 16, 1990

5341-Texas Diabetes Council

5341-State Pension Review Board

5341-Texas Structural Pest Control Board

Appointments Made September 4,
1991

5341-Teacher Retirement System

Appointments Made September 5, 1990

5341-State Board of Medical Examiners

Emergency Sections

Comptroller of Public Accounts

5343-Tax Administration

Employees Retirement System of Texas

5343-Insurance

Texas Employment Commission

5344-Unemployment Insurance

Proposed Sections

Texas State Board of Registration for
Professional Engineers

5345-Practice and Procedure

Board of Veterinary Medical Examiners

5346-Rules of Professional Conduct

Texas Department of Mental Health and
Mental Retardation

5346-System Administration

5347-Standards and Quality Assurance

Texas Workers' Compensation
Commission

5349-Compensation Procedures-Claimants

Texas Parks and Wildlife Department

5349-Fisheries

Employees Retirement System of Texas

5350-Insurance

Texas Department of Human Services

5350-Intermediate Care Facilities for Mentally Retarded

5351-Purchased Health Services

Texas Commission for the Blind

5352-Cooperative Activities

Withdrawn Sections

Railroad Commission of Texas

5355-Transportation Division

State Board of Insurance

5355-Trade Practices

Texas Workers' Compensation
Commission

5355-Compensation Procedures-Claimants

State Treasurer

5355-Electronic Transfer of Certain Payments to State
Agencies

Adopted Sections

Animal Health Commission

5357-Brucellosis

5360-Exotic Livestock and Fowl

CONTENTS CONTINUED INSIDE

Texas Register

The *Texas Register* (ISSN0362-4781) is published semi-weekly 100 times a year except June 1, 1990, November 9 and 27, 1990, and December 28, 1990. Issues will be published by the Office of the Secretary of State, 1019 Brazos, Austin, Texas 78711.

Material in the *Texas Register* is the property of the State of Texas. However, it may be copied, reproduced, or republished by any person for any purpose whatsoever without permission of the *Texas Register* director, provided no such republication shall bear the legend *Texas Register* or "Official" without the written permission of the director. The *Texas Register* is published under Texas Civil Statutes, Article 6252-13a. Second class postage is paid at Austin, Texas.

POSTMASTER: Please send Form 3579 changes to the *Texas Register*, P.O. Box 13824, Austin, Texas 78711-3824.

Information Available: The eight 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

Emergency Sections-sections adopted by state agencies on an emergency basis

Proposed Sections-sections proposed for adoption

Withdrawn Sections-sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date

Adopted Sections-sections adopted following a 30-day public comment period

Open Meetings-notice 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 accumulative 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 a 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 6 (1981) is cited as follows: 6 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: "14 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 14 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, Austin. Material can be found using *Texas Register* indexes, the *Texas Administrative Code*, sections number, or TRD number.

Texas Administrative Code

The *Texas Administrative Code* (TAC) is the approved, collected volumes of Texas administrative rules.

How to Cite: Under the TAC scheme, each agency 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 rule (27 indicates that the section is under Chapter 27 of Title 1; 15 represents the individual section within the chapter).



Texas Register Publications

a section of the
Office of the Secretary of State
P.O. Box 13824
Austin, Texas 78711-3824
512-463-5561

Secretary of State
George S. Bayoud, Jr.

Director
Dan Procter

Assistant Director
Dee Wright

Documents Section Supervisor
Patty Parris

Documents Editors
Lisa Brull
Janiene Hagel

Open Meetings Clerk

Production Section Supervisor
Ann Franklin

Production Editor

Typographers
Sherry Rester
Janice Rhea

Circulation/Marketing
Cheryl Converse
Roberta Knight

TAC Editor
Dana Blanton

TAC Typographer
Madeline Chrisner

Subscriptions-one year (96 regular issues), \$90; six months (48 regular issues and two index issues), \$70. Single copies of most issues are available at \$4 per copy.

5361–Tuberculosis
5361–Swine
5362–General Practice and Procedure
Texas Bond Review Board
5362–Bond Review Board
Texas Department of Human Services
5363–Income Assistance Services
5363–County Indigent Health Care Program
5365–Reimbursement Methodology
5366–Residential Care Program
5366–Community Care for Aged and Disabled
5366–Emergency Response Services
5366–Family Care Program
Texas Department of Aviation
5367–Aviation Facilities Development and Financial Assistance Rules
State Board of Insurance
5367–Notification Pursuant to the Texas Insurance Code, Chapter 5, Subchapter L

Open Meetings

5369–Texas Department of Agriculture
5369–Texas Alcoholic Beverage Commission
5369–Texas Commission on the Arts
5369–Texas Cosmetology Commission
5370–Texas Department of Criminal Justice Board of Pardons and Paroles
5370–Texas State Board of Dental Examiners
5370–The Council on Disabilities
5370–Interagency on Early Childhood Intervention
5370–Texas Education Agency
5371–Texas Employment Commission
5371–Texas Department of Health
5373–Texas High-Speed Rail Authority
5373–Texas Higher Education Coordinating Board
5373–University of Houston
5373–Texas Department of Human Services
5373–State Board of Insurance

5373–Texas Commission on Jail Standards
5373–Lamar University System
5374–Legislative Education Board
5374–Texas Council on Offenders with Mental Impairments
5374–The Texas Department of Mental Health and Mental Retardation
5374–Board of Nurse Examiners
5375–Texas State Board of Pharmacy
5375–Texas State Board of Public Accountancy
5376–Public Utility Commission of Texas
5376–State Purchasing and General Services Commission
5376–Texas Racing Commission
5376–Railroad Commission of Texas
5377–School Land Board
5377–Senate of the State of Texas
5377–Texas Task Force on State and Local Drug Control
5377–University of Texas Health Science Center at San Antonio
5377–Texas Water Commission
5378–Texas Workers' Compensation Commission
5379–Regional Meetings
In Addition
Texas Commission on Alcohol and Drug Abuse
5383–Request for Proposals
State Banking Board
5383–Notice of Hearing
Texas Department of Banking
5383–Correction of Error
Office of Consumer Credit Commissioner
5383–Notice of Rate Ceilings
Texas Education Agency
5384–Notice of Contract Award
5384–Request for Proposals
Texas Department of Human Services
5385–Public Notice

Legislative Budget Office

**5387–Joint Budget Hearing Schedule
(Texas Parks and Wildlife Department)
Gulf State Marine Fisheries
Commission**

**5388–GSMFC Fall Meeting
Texas State Board of Pharmacy**

**5388–Correction of Error
5389–Public Hearing Notice**

Texas Department of Public Safety

5389–Correction of Error

Public Utility Commission of Texas

**5389–Notice of Application
Texas A&M University System**

**5389–Consultant Contract Award
Texas Water Commission**

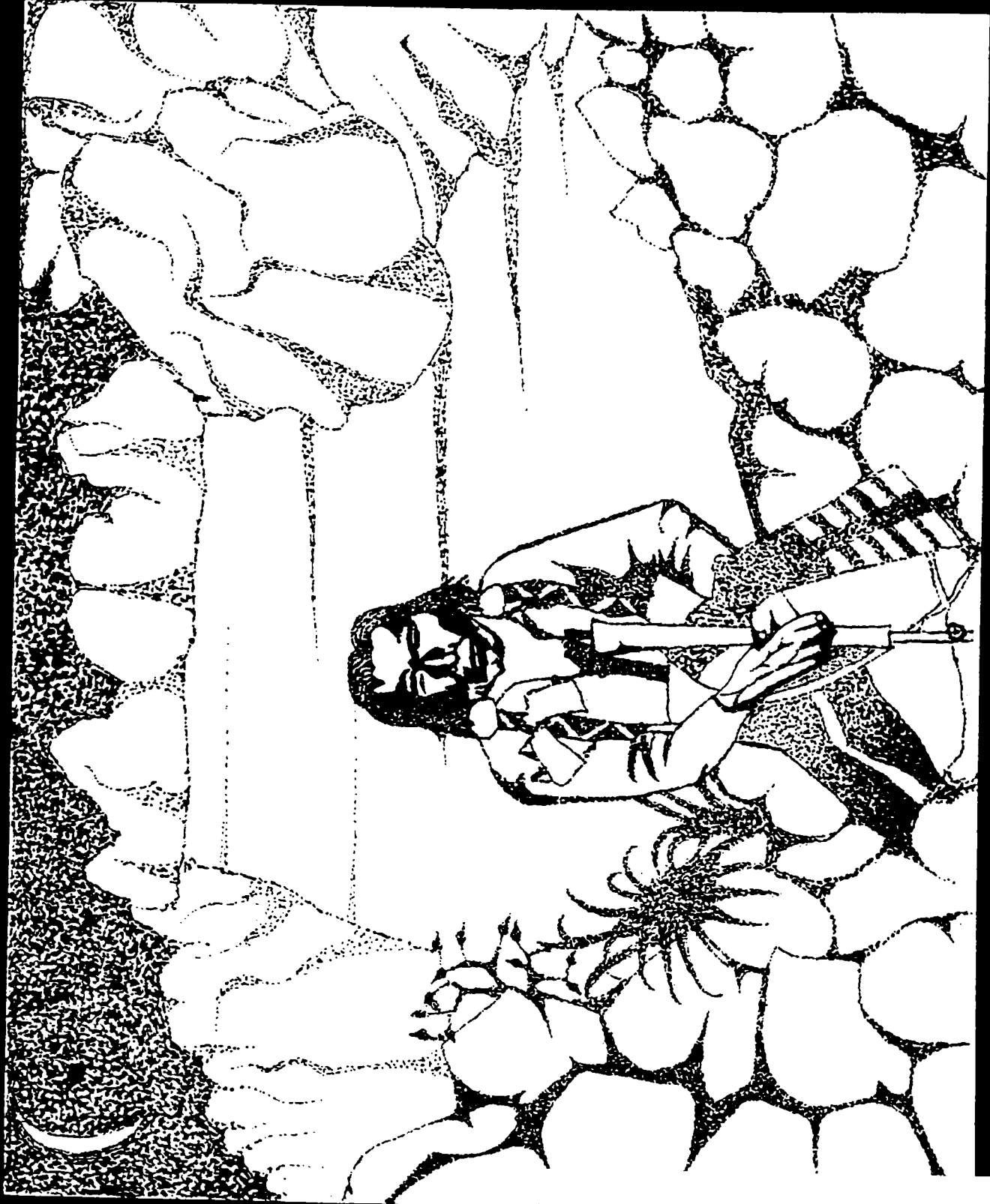
5389–Meeting Notice

**5390–Notice of Application for Waste Disposal Permit
Texas Workers’ Compensation
Commission**

5390–Correction of Error



Name: Brandon Cook
Grade: 9
School: Memorial High, Spring Branch I.S.D



Name: Chad Robertson
Grade: 12
School: Memorial High, Spring Branch I.S.D.

TAC Titles Affected

TAC Titles Affected—September

The following is a list of the administrative rules that have been published this month.

TITLE 1. ADMINISTRATION

Part I. Office of the Governor

1 TAC §5.301—5061

1 TAC §5.302—5061

1 TAC §5.303—5061

Part V. State Purchasing and General Services Commission

1 TAC §113.1—5091

1 TAC §113.2, §113.3—5103

Part XII. Advisory Commission on State Emergency Communications

1 TAC §255.6—5053

1 TAC §255.7—5053

Part XIII. Texas Incentive and Productivity Commission

1 TAC §273.1—5169

1 TAC §§273.1, 273.3, 273.5, 273.7, 273.9, 293.11, 273.13, 273.15, 273.17, 273.19, 273.21, 273.23, 273.25, 273.27, 273.29—5169

1 TAC §275.1—5172

1 TAC §277.1—5172

1 TAC §279.1—5173

1 TAC §§281.1, 281.3, 281.5—5173

1 TAC §§283.1, 283.3, 283.5—5173

1 TAC §285.1, 285.3—5173

1 TAC §287.1—5174

TITLE 4. AGRICULTURE

Part I. Texas Department of Agriculture

4 TAC §§27.23-27.25, 27.50—5091

4 TAC §§27.23-27.25, 27.50-27.52—5089

Part II. Animal Health Commission

4 TAC §35.2—5357

4 TAC §35.6—5357

4 TAC §35.41—5357

4 TAC §35.43—5358

4 TAC §35.44—5358

4 TAC §35.45—5358

4 TAC §35.46—5359

4 TAC §35.47—5359

4 TAC §35.49—5359

4 TAC §35.60—5359

4 TAC §35.61—5359

4 TAC §36.1—5360

4 TAC §36.2—5360

4 TAC §43.10—5360

4 TAC §43.11—5360

4 TAC §55.5—5360

4 TAC §55.7—5361

4 TAC §55.8—5362

4 TAC §59.2—5361

4 TAC §59.4—5361

TITLE 7. BANKING AND SECURITIES

Part VII. Credit Union Department

7 TAC §91.402—5054

7 TAC §91.503—5055

7 TAC §95.308—5055

TITLE 16. ECONOMIC REGULATION

Part I. Railroad Commission of Texas

16 TAC §3.87—5167

16 TAC §5.318—5355

Part II. Public Utility Commission of Texas

16 TAC §23.54—5089

Part IV. Texas Department of Licensing and Regulation

16 TAC §60.75—5062

16 TAC §60.152—5062

16 TAC §§65.20, 65.50, 65.100—5056

16 TAC §§75.40, 75.70, 75.80—5062

TITLE 22. EXAMINING BOARDS

Part I. Texas Board of Architectural Examiners

22 TAC §§1.161-1.177—5174

22 TAC §§1.161-1.179—5175

Part VI. Texas State Board of Registration for Professional Engineers

22 TAC §131.134—5345

22 TAC §131.155—5345

Part XXIV. Texas Board of Veterinary Medical Examiners

22 TAC §573.60—5346

TITLE 25. HEALTH SERVICES

Part I. Texas Department of Health

25 TAC §§98.1-98.8—5106

25 TAC §§98.21-98.30—5108

25 TAC §§98.41-98.44—5110

25 TAC §§401.341-401.350—5346

25 TAC §§408.1-408.10—5347

25 TAC §§500.1-500.10—5112

25 TAC §§621.21-621.29, 621.31, 621.34—5117

25 TAC §§621.21-621.31—5117

25 TAC §§621.41-621.44—5131

25 TAC §§621.41-621.44, 621.46, 621.48—5131

TITLE 28. INSURANCE

Part I. State Board of Insurance

28 TAC §§5.1301-5.1309—5136

28 TAC §§5.1401, 5.1402—5136

28 TAC §§5.1501-5.1503—5137

28 TAC §7.1414—5094

28 TAC §15.27—5089, 5137

28 TAC§21.113—5355

28 TAC §§21.901-21.905—5095

28 TAC §§21.1001-21.1004—5094

28 TAC §§27.601-27.607—5138

28 TAC §§27.601-27.620—5137

Part II. Texas Workers' Compensation Commission

28 TAC §102.2—5097

28 TAC §110.102—5097

28 TAC §122.1—5098, 5349, 5355

28 TAC §156.1—5098

28 TAC §166.1—5051

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part II. Texas Parks and Wildlife Department

31 TAC §§57.361-57.367—5349

Part IX. Texas Water Commission

31 TAC §293.18—5059

31 TAC §§334.301-334.322—5209

TITLE 34. PUBLIC FINANCE

Part I. Comptroller of Public Accounts

34 TAC §3.327—5062, 5343

Part II. Texas State Treasurer

34 TAC §§15.1-15.17—5355

34 TAC §§15.4-15.16—5355

Part IV. Employees Retirement System of Texas

34 TAC §181.3, §181.4—5362

34 TAC §81.7—5343, 5350

Part IX. Texas Bond Review Board

34 TAC §181.3, §181.4—5362

TITLE 37. PUBLIC SAFETY AND CORRECTIONS

Part I Texas Department of Public Safety

37 TAC §1.32-1.34—5138

37 TAC §15.18—5138

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Services

40 TAC §§3.3901-3.3911—5362

40 TAC §14.1—5363

40 TAC §§14.101, 14.103, 14.104, 14.105, 14.109—5364

40 TAC §14.202-14.204—5364

40 TAC §§16.901—5217

40 TAC §§16.1301-16.1305—5218

40 TAC §§16.1501, 16.1504-1509, 16.1511-16.1513—5218

40 TAC §§16.1901, 16.1903, 16.1904, 16.1906, 16.1907, 16.1910-16.1912, 16.1914-16.1919—5218

40 TAC §§16.2901-16.2908—5218

40 TAC §§16.3001-16.3009, 16.3011-16.3017—5218

40 TAC §§16.3101-16.3107—5218

40 TAC §§16.3201-16.3212—5218

40 TAC §§16.3301-16.3304—5218

40 TAC §§16.3401-16.3404—5219

40 TAC §§16.3501-16.3507—5219

40 TAC §§16.3801-16.3805, 16.3807—5219

40 TAC §16.3806—5181

40 TAC §16.3901, §16.3902—5219

40 TAC §§16.4101-16.4103—5219

40 TAC §§16.4901-16.4913—5219

40 TAC §§16.5101-16.5102—5219

40 TAC §§16.5901-16.5903—5219

40 TAC §§16.6101-16.6111, 16.6113-16.6120—5220

40 TAC §§16.6112—5181

40 TAC §§16.7101-16.7102, 16.7104—5220

40 TAC §16.9802—5220

40 TAC §19.1—5233

40 TAC §19.101—5234

40 TAC §§19.201-19.219—5239

40 TAC §§19.301-19.305—5246

40 TAC §19.401—5248

40 TAC §§19.501-19.505—5248

40 TAC §§19.601-19.604—5250

40 TAC §§19.701—5255

40 TAC §§19.801-19.813—5256

40 TAC §§19.901-19.912—5261

40 TAC §§19.1001-19.1010—5263

40 TAC §§19.1101-19.1106—5265

40 TAC §§19.1201-19.1208—5267

40 TAC §§19.1301-19.1310—5268

40 TAC §§19.1401-19.1402—5271

40 TAC §§19.1501-19.1521—5273

40 TAC §§19.1601-19.1612—5284

40 TAC §§19.1701-19.1708—5288

40 TAC §§19.1801-19.1809—5291

40 TAC §§19.1901-19.1933—5302

40 TAC §§19.2001-19.2013—5315

40 TAC §§19.2101-19.2107—5326

40 TAC §23.101, 23.103—5327

40 TAC §§23.201-23.203, 23.205, 23.207, 23.209, 23.210—5327

40 TAC §§23.801-23.803—5327

40 TAC §§23.1002, 23.1003, 23.1005—5327

40 TAC §§23.1102, 23.1104, 23.1107, 23.1109—5327

40 TAC §23.1201—5327

40 TAC §§23.1301, 23.1302, 23.1311, 23.1314—5328

40 TAC §§23.1401, 23.1404—5328

40 TAC §§23.1501, 23.1503-23.1507, 23.1509, 23.1510—5328

40 TAC §§23.1601, 23.1608, 23.1610, 23.1611, 23.1614-23.1616, 23.1618, 23.1619—5328

40 TAC §23.1802—5328

40 TAC §23.1908, §23.1909—5328

40 TAC §23.2004—5328

40 TAC §§23.9808-23.9809—5329

40 TAC §24.102—5364

40 TAC §27.203—5099

40 TAC §27.9801—5350

40 TAC §29.1001—5351

40 TAC §§29.2501-29.2503—5352

40 TAC §§45.101-45.122—5329

40 TAC §§45.301-45.307—5329

40 TAC §45.401—5329

40 TAC §§45.501-45.504—5329

40 TAC §§45.601-45.614—5329

40 TAC §§45.9801, 45.9802—5329

40 TAC §46.7001—5365

40 TAC §§48.2903, 48.2904, 48.2922, 48.2924—5177

40 TAC §48.9801, 48.9805—5365

40 TAC §52.502—5366

40 TAC §53.502—5366

40 TAC §72.901—5063

40 TAC §§72.902—5330

Part IV. Texas Commission for the Blind

40 TAC §171.3—5352

Part X. Texas Employment Commission

40 TAC §301.22—5344

Part XV. Texas Veterans Commission

40 TAC §§450.1, 450.3, 450.5—5100

TITLE 43. TRANSPORTATION

Part I. State Department of Highways and Public Transportation

43 TAC §§1.300-1.305—5089

43 TAC §21.601—5089, 5101

43 TAC §§25.901-25.912—5178

43 TAC §§25.901-25.920—5178

Part III. Texas Department of Aviation

43 TAC §§65.1-65.20—5366

43 TAC §§65.1-65.21—5366

◆ ◆

The Governor

As required by Texas Civil Statutes, Article 6252-13a, §6, the *Texas Register* publishes executive orders issued by the Governor of Texas. Appointments and proclamations are also published. Appointments are published in Chronological order. Additional information on documents submitted for publication by the Governor's Office can be obtained by calling (512) 463-1814.

Appointments Made August 16, 1990

To be a member of the **Texas Diabetes Council** for a term to expire February 1, 1992: Mr. H. Clay Dahlberg, Route 2, Box 226, Hunt, Texas 78024. Mr. Dahlberg is replacing Lily Mae Fonteno of Houston, whose term expired.

To be a member of the **State Pension Review Board** for a term to expire January 31, 1991: Gary D. Hughes, 3807 27th Street, Lubbock, Texas 79410. Mr. Hughes will be filling the unexpired term of Peggy McAdams of Huntsville who resigned.

To be a member of the **Texas Structural Pest Control Board** for a term to expire February 1, 1995: Merle M. Carlson, 11607 Windy Lane, Houston, Texas 77024. Mrs. Carlson will be filling the unexpired term of Jimmy Homer, whose name was withdrawn.

Appointment Made September 4, 1990

The appointment of A. W. "Dub" Riter to the **Board of Trustees of the Teacher Retirement System** expires on August 31, 1995 rather than on December 31, 1995.

Appointments Made September 5, 1990

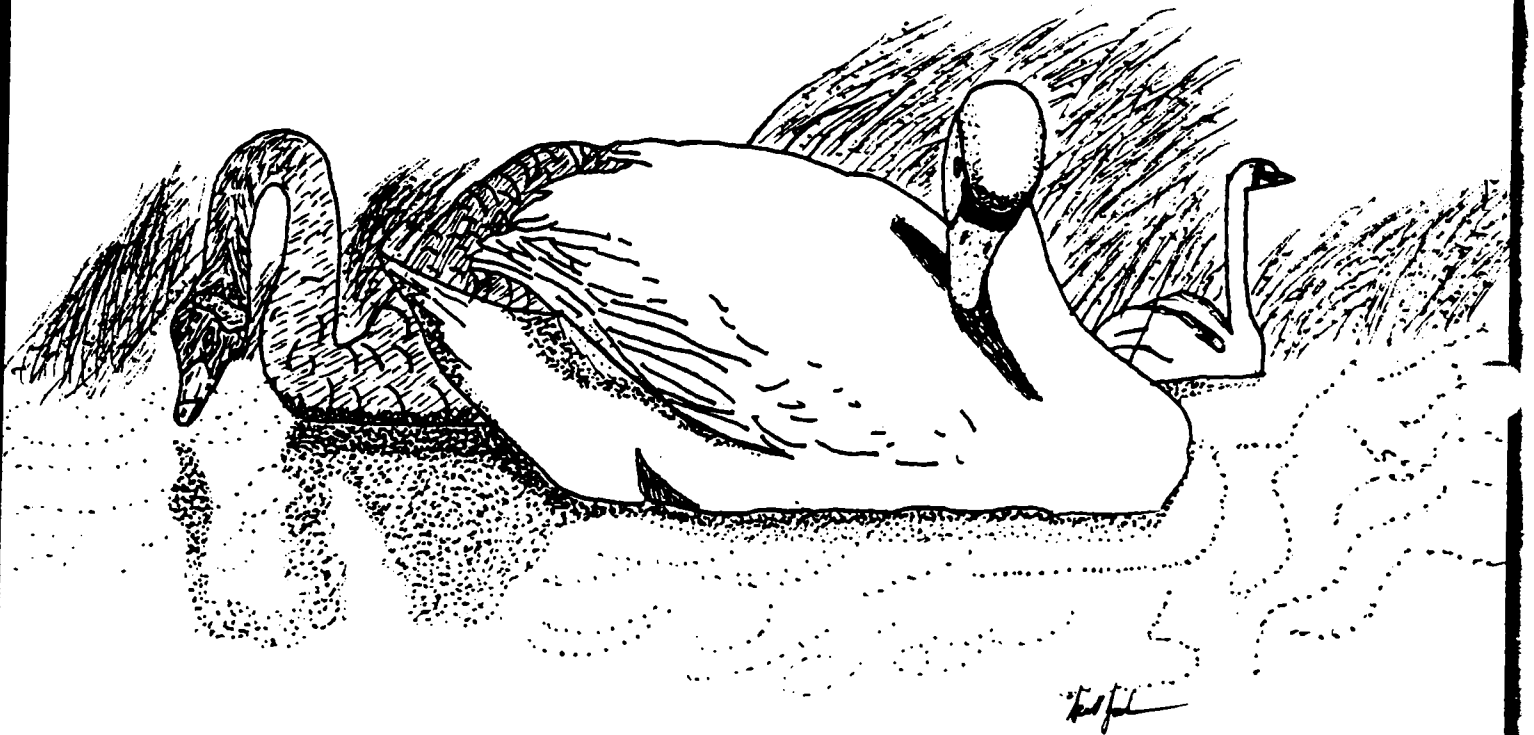
To be a member of the **State Board of Medical Examiners** for a term to expire April 13, 1995: William H. Fleming, III, M.D., 1406 Sugar Creek Boulevard, Sugar Land, Texas 77478. Dr. Fleming will be replacing Dr. Robert Hilliard of San Antonio, whose term expired.

Issued in Austin, Texas on September 6, 1990.

TRD-9009017

William P. Clements, Jr.
Governor of Texas





Name: Scott Jackson
Grade: 12
School: Memorial High, Spring Branch I.S.D.

Emergency Sections

An agency may adopt a new or amended section or repeal an existing section on an emergency basis if it determines that such action is necessary for the public health, safety, or welfare of this state. The section may become effective immediately upon filing with the *Texas Register*, or on a stated date less than 20 days after filing, for no more than 120 days. The emergency action is renewable once for no more than 60 days.

Symbology in amended emergency sections. New language added to an existing section is indicated by the use of **bold text**. [Brackets] indicate deletion of existing material within a section.

TITLE 34. PUBLIC

FINANCE

Part I. Comptroller of Public Accounts

Chapter 3. Tax Administration

Subchapter O. State Sales and Use Tax

• 34 TAC §3.327

The Comptroller of Public Accounts is renewing the effectiveness of the emergency adoption of amended §3.327, for a 60-day period effective September 12, 1990. The text of amended §3.327 was originally published in the May 22, 1990, issue of the *Texas Register* (15 TexReg 2847).

Issued in Austin, Texas on September 7, 1990.

TRD-9009088

Wade Anderson
Rules Coordinator
Comptroller of Public
Accounts

Effective date: September 12, 1990

Expiration date: November 11, 1990

For further information, please call: (512) 463-4004

Part IV. Employees Retirement System of Texas

Chapter 81. Insurance

• 34 TAC §81.7

The Employees Retirement System of Texas adopts on an emergency basis an amendment to §81.7(f)(6) and (l)(2). This emergency was made necessary because the current trustee rules were appropriate when the Texas Employees Uniform Group Insurance Program (UGIP) conducted an annual "open" enrollment period which allowed enrollment in the insured plan and optional coverages, and the enrollment period extended through August 31. However, since changes permitted during the limited enrollment period are now related exclusively to enrollment in health maintenance organizations (HMOs), and since the limited enrollment period ends on August 1, the rules are no longer necessary.

As a result of this emergency amendment, the trustee rules will allow state employees in a leave without pay status during the limited enrollment period the right to make enroll-

ment changes permitted other state employees during limited enrollment. The amendments also will reduce the burden of administration for state agencies and the Employees Retirement System of Texas.

The amendment is adopted on an emergency basis under the Texas Insurance Code, Article 3.50-2, §4, as amended, which provides the Board of Trustees of the Employees Retirement System of Texas with the authority to adopt rules as it shall deem necessary to insure the proper administration of the Texas Employees Uniform Group Insurance Benefits Act.

§81.7. Enrollment and Participation.

(a)-(e) (No change.)

(f) Changes in coverages beyond the first 31 days of eligibility.

(1)-(5) (No change.)

(6) Persons wishing to change from one HMO to another HMO in the same service area or change from the insured plan to an HMO will be allowed an annual opportunity to do so. Such opportunity will be scheduled prior to September 1 of each year at times announced by the Employees Retirement System. The preexisting conditions clause and evidence of insurability provision will not apply in these cases. Coverage in the new HMO will be effective September 1. Persons in a declined or canceled status may apply for coverages in an HMO for which they are eligible during the annual limited enrollment period. Coverage in the HMO will be effective September 1. [An employee in a leave without pay status or extended sick leave without pay status on the first of September may continue the types and amounts of coverage for which the employee was eligible and enrolled on the preceding day. When such employee returns to active duty, the employee may apply for coverages for which the employee would have been eligible during the annual limited enrollment period. An application must be completed by the employee and postmarked or received by the employing agency on or before the first day of the month following the employee's return to active duty for a 30-day period. Coverages applied for under this provision become effective on the first day of the month following the date of application if the employee is on active duty on that date.]

(7)-(9) (No change.)

(g)-(h) (No change.)

(i) Continuing coverage in special circumstances.

(1) (No change.)

(2) An employee in an approved extended sick leave without pay status due to a disabling condition or in an approved leave of absence without pay status while not disabled may continue the types and amounts of health and life coverage in effect on the date the employee entered that status for a maximum period of up to 12 months. **During this period, the employee may not change coverage except that, employees in a leave without pay status may: add new dependents, including newborns; reduce or cancel coverage; and make such coverage changes as are permitted during the annual limited enrollment period as described in subsection (f)(6) of this section.** [During this period, the employee may not change coverage except to add new dependents, including newborns, or reduce or cancel coverage.] Disability income coverage for an employee in an approved extended sick leave without pay status due to a disabling condition will be suspended beginning on the first day of the month in which the employee enters the extended sick leave without pay status due to a disabling condition and continuing for those months in which the employee remains in that status. Suspended disability income coverage for an employee returning to active duty from an extended sick leave without pay status due to a disabling condition will be reactivated effective on the first day the employee returns to active duty if the entire period of unpaid leave was certified by the agency as approved extended sick leave without pay due to a disabling condition. Disability income coverage for an employee in an approved leave of absence without pay status will be canceled and no premiums collected beginning on the first day of the month in which the employee enters the leave of absence without pay status. To reinstate canceled disability coverage, an employee returning to active duty from a leave of absence without pay status must submit evidence of insurability acceptable to the insurance carrier. If approved, disability income coverage will become effective on the first day of the month following the date the approval is received by the Employees Retirement System, unless the employee is then in another leave of absence without pay status. In that case, the disability income coverage will become ef-

fective on the date the employee returns to active duty.

(3)-(11) (No change.)

Issued in Austin, Texas, on September 6, 1990.

TRD-9009001 Charles D. Travis
Executive Director
Employees Retirement
System of Texas

Effective date: September 6, 1990

Expiration date: January 4, 1991

For further information, please call: (512) 476-6431, ext. 213

◆ ◆ ◆
TITLE 40. SOCIAL SER-
VICES AND ASSIS-
TANCE

Part X. Texas
Employment
Commission

Chapter 301. Unemployment
Insurance

• 40 TAC §301.22

The Texas Employment Commission adopts on an emergency basis an amendment to §301.22, concerning claimstaking requirements. It has been determined by the commissioners that the amended procedures are needed on an emergency basis because of the current crisis in the Middle East. The commission has already been approached about possible claims by individuals unemployed because of this crisis.

The amendment is adopted on an emergency basis under Texas Civil Statutes, Article 5221b, which provide the Texas Employment Commission with the authority to adopt, amend, or rescind such rules and regulations as it deems necessary for the effective administration of this Act. Emergency action is authorized under Texas Civil Statutes, Article 6252-13a.

§301.22. Backdated Claims.

(a) For adequate cause shown, the commission may permit retroactive or backdated work registrations and may permit the filing of retroactive or backdated claims in order to prevent hardship or injustice. Such work registrations and claims shall have the same effect as though prepared and filed on the earlier date. In the event a request for backdating a claim is approved prior to the filing of such claim, a claimant must file the backdated claim within 60 days of the date the backdating was authorized in order for the claim to be valid.

(b) On a finding by the commission that a foreign conflict creates an emergency situation which prevents the filing of claims in accordance with all of the provisions of §301.20 of this title (relating to Claim for Benefits), and that such emergency is likely to continue for an extended period, the administrator may permit the filing and payment of claims not meeting all of the requirements of §301.20 of this title (relating to Claim for Benefits). However, those requirements will be relaxed only to the extent that the administrator finds necessary to prevent hardship or injustice that would otherwise be caused by the emergency.

Issued in Austin, Texas on September 5, 1990.

TRD-9008992 C. Ed Davis
Special Counsel
Texas Employment
Commission

Effective date: September 5, 1990

Expiration date: January 3, 1991

For further information, please call: (512) 463-2291

◆ ◆ ◆

Proposed Sections

Before an agency may permanently adopt a new or amended section, or repeal an existing section, a proposal detailing the action must be published in the *Texas Register* at least 30 days before any action may be taken. The 30-day time period gives interested persons an opportunity to review and make oral or written comments on the section. Also, in the case of substantive sections, a public hearing must be granted if requested by at least 25 persons, a governmental subdivision or agency, or an association having at least 25 members.

Symbology in proposed amendments. New language added to an existing section is indicated by the use of bold text. [Brackets] indicate deletion of existing material within a section.

TITLE 22. EXAMINING BOARDS

Part VI. Texas State Board of Registration for Professional Engineers

Chapter 131. Practice and Procedure

Registration

• 22 TAC §131.134

The Texas State Board of Registration for Professional Engineers proposes an amendment to §131.134, concerning expirations and renewals. The amendment to the section was necessary to comply with the provisions of the Texas Education Code, §57.491, pertaining to the loan default proceedings of the Texas Guaranteed Student Loan Corporation.

Charles E. Nemir, P.E., executive director, has determined that for the first five-year period the section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section.

Mr. Nemir also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be clear provisions established by the board that it will not renew the license of a licensee whose name has been reported by the Texas Guaranteed Student Loan Corporation as being in default of a loan unless the license has entered into a repayment agreement with the corporation. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Comments on the proposal may be submitted to Charles E. Nemir, P.E. Executive Director, Texas State Board of Registration for Professional Engineers, P.O. Drawer 18329, Austin, Texas 78760.

The amendment is proposed under Texas Civil Statutes, Article 3271, §8(a), which provide the board with the authority to make and enforce all rules and regulations necessary for the performance of its duties.

§131.134. Expirations and Renewals. The certificate of registration is a license to practice engineering under the provisions of the Act and must be renewed by the registrant annually; otherwise, such license shall

become invalid until the date the board receives the registrant's renewal and penalty fee. Each registrant shall advise the board in writing of each change of mailing address as it occurs. The board will mail a renewal notice to the last recorded address of each registrant in compliance with the Act, §16(a). However, it is the sole responsibility of the registrant to pay the required renewal fee together with any applicable penalty at the time of payment, regardless of whether the renewal notice is received late. Stipulations with reference to expirations and renewals of certificates of registration are set out in the Act, §16 and §16.1. The following will apply to renewals.

(1)-(5) (No change.)

(6) Under the provisions of the Texas Education Code, §57.491, pertaining to the loan default proceedings of the Texas Guaranteed Student Loan Corporation (TGS LC), the board shall not renew the license of a licensee whose name has been provided by the corporation as being in default of a loan, unless TGS LC certifies that the individual has entered into a repayment agreement with TGS LC, or is not in default on a loan. Such licensee shall be provided an opportunity for a hearing, similar to that provided by §131.137 of this title (relating to Disciplinary Actions), before any action concerning the nonrenewal of a license is taken under this paragraph. A defaulted loan shall not bar the board's issuance of an initial license if the individual is otherwise qualified for licensure.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on September 4, 1990.

TRD-9008973

Charles E. Nemir, P.E.
Executive Director
Texas State Board of
Registration for
Professional Engineers

Proposed date of adoption: October 18, 1990

For further information, please call: (512) 440-7723

◆ ◆ ◆

Professional Conduct and Ethics

• 22 TAC §131.155

The Texas State Board of Registration for Professional Engineers proposes an amendment to §131.155, concerning the restriction against competitive bidding by registered engineers for public work §131.155(d) was necessary to clarify that a registrant acting as a prime contractor, subcontractor, or consultant is prohibited from competitive bidding in the procurement of professional engineering services for public entities.

Charles E. Nemir, executive director, has determined that for the first five-year period the proposed section will be in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section.

Mr. Nemir also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be a clearer understanding by the public, public officials, and professional engineers involved in the procurement of professional services for public works that competitive bidding for such services at any level is not the best interest of the public. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Comments on the proposal may be submitted to Charles E. Nemir, Executive Director, Texas State Board of Registration for Professional Engineers, P.O. Drawer 18329, Austin, Texas 78760.

The amendment is proposed under Texas Civil Statutes, Article 3271a, §8(a), which provide the board with the authority to make and enforce all rules and regulations necessary for the performance of its duties.

§131.155. Professional Practice and Reputation.

(a)-(c) (No change.)

(d) A registrant shall not submit or request, orally or in writing a competitive bid to perform engineering services, whether as prime contractor, subcontractor, or consultant, under a contract subject to the provisions of the Texas Professional Services Procurement Act, Article 664-4, Texas Civil Statutes (which includes, but is not limited to, any state agency, political subdivision, county, municipality, district, authority, or publicly-owned utility of the State of Texas), or its federal counterpart, the Brooks Act, 40

United States Code §§541-544 [It shall be a violation of the Texas Engineering Practice Act For a registrant to submit or request a competitive bid to perform engineering services for any state agency, political subdivision, county, municipality, district, authority, or publicly owned utility of the State of Texas, or for any agency or other entity of the federal government, when the procurement of such professional services is in violation of the State's Professional Services Procurement Act or the Federal Property and Administrative Services Act of 1949, as amended].

(1)-(2) (No change.)

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on September 4, 1990.

TRD-9008974 Charles E. Nemir, P.E.
Executive Director
Texas State Board of
Registration for
Professional Engineers

Proposed date of adoption: October 18, 1990

For further information, please call: (512) 440-7723

Part XXIV. Board Of Veterinary Medical Examiners

Chapter 573. Rules of Professional Conduct

• 22 TAC §573.60

The Board of Veterinary Medical Examiners proposes new §573.60, concerning practice prohibition. The new section prohibits licensees from treating humans except in emergency situations.

Donald B. Wilson, executive director, has determined that for the first five-year period the section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section.

Mr. Wilson also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the sections as proposed will not be applicable, as the public is relatively unaffected by this particular proposed section. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the sections as proposed.

Comments on the proposal may be submitted to Donald B. Wilson, Texas Board of Veterinary Medical Examiners, 1946 South IH-35, Box 113, Austin, Texas 78704, (512) 447-1183.

The new section is proposed under Texas Civil Statutes, Article 8890, §7(a), which provide the Texas Board of Veterinary Medical Examiners with the authority to "... make, alter, or amend such rules and regulations as

may be necessary or desirable to carry into effect the provisions of the Act."

§573.60. *Practice Prohibition.* A Texas veterinary license does not extend to the care and treatment of humans. The foregoing does not apply to a licensee who renders first aid or emergency care, without expectation of compensation, in an emergency or disaster situation.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on September 6, 1990.

TRD-9009087 Donald B. Wilson
Executive Director
Texas Board of Veterinary
Medical Examiners

Earliest possible date of adoption: October 15, 1990

For further information, please call: (512) 447-1183

TITLE 25. HEALTH SERVICES

Part II. Texas Department of Mental Health and Mental Retardation

Chapter 401. System Administration

Subchapter A. Standards of the Texas Department of Mental Health and Mental Retardation—Quality Assurance

• 25 TAC §§401.341-401.350

(Editor's note: The text of the following sections proposed for repeal will not be published. The sections may be examined in the offices of the Texas Department of Mental Health and Mental Retardation or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)

The Texas Department of Mental Health and Mental Retardation (TDMHMR) proposes the repeal of §§401.341-401.350, concerning standards of the Texas Department of Mental Health and Mental Retardation quality assurance. The repeal is proposed contemporaneously with the proposal of new §§408.1-408.10, also concerning standards of the Texas Department of Mental Health and Mental Retardation quality assurance. The sections that would be repealed and the sections that would be new are generally identical except for updating references.

Lellani Rose, director, office of budget and fiscal services, has determined that for the first five-year period the repeals are in effect, there will be no significant fiscal implications for state or local government. There is no anticipated cost to small businesses as a result of administering the repeals as pro-

posed. There is no anticipated local economic impact.

Sue Dillard, director, office of standards and quality assurance, has determined that for each year of the first five years the repeals are in effect the public benefit anticipated as a result of enforcing the repeals will be the adoption of current standards for services to persons with mental illness or mental retardation. There is no anticipated economic cost to persons who are required to comply with the repeals as proposed.

Comments on the proposal may be submitted to Linda Logan, director, Policy Development Section, Texas Department of Mental Health and Mental Retardation, P. O. Box 12668, Austin, Texas 78711-2668, within 30 days of publication.

The repeals are proposed under Texas Civil Statutes, Article 5547-202, §2. 11, which provides the Texas Board of Mental Health and Mental Retardation with rulemaking powers.

§401.341. *Purpose.*

§401.342. *Application.*

§401.343. *Definitions.*

§401.344. *Scope.*

§401.345. *Standards of Care.*

§401.346. *Governing Body.*

§401.347. *Director of Standards and Quality Assurance.*

§401.348. *Program Reviews.*

§401.349. *References.*

§401.350. *Distribution.*

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas on September 10, 1990.

TRD-9009179 Pattilou Dawkins
Chairman
Texas Department of
Mental Health and
Mental Retardation

Earliest possible date of adoption: October 15, 1990

For further information, please call: (512) 465-4670

Chapter 408. Standards and Quality Assurance

Subchapter A. Standards of the Texas Department of Mental Health and Mental Retardation—Quality Assurance

• 25 TAC §§408.1-408.10

The Texas Department of Mental Health and Mental Retardation (TDMHMR) proposes new §§408.1-408.10, concerning standards of the Texas Department of Mental Health and Mental Retardation quality assurance. The new rules are proposed contemporaneously with the proposal of the repeal of §401.341-401.356 of this title, also concerning standards of the Texas Department of Mental Health and Mental Retardation quality assurance. The sections that would be adopted and the sections that would be repealed are identical except for the updating of reference to national standards for laboratory accreditation, the adoption of a substantially revised edition of TDMHMR community standards for mental health services, the deletion of reference to Directive 1 on Standard Operating Procedures, and the revision of the distribution section consistent with recent changes in organizational structure.

The new mental health community standards document that would be adopted by reference in the new subchapter differs from the existing standards in that it is more client-centered, outcome-oriented, and user-friendly. The new standards, which are less prescriptive than the standards that they would replace, are designed to provide for more efficient and effective use of resources. They were developed by a group of state facility, community center, advocate, consumer, court, and central office representatives, and were distributed for preliminary review. Revisions were made in response to comments from 30 individuals and agencies prior to publication in the *Texas Register*.

Lollani Rose, director, office of budget and fiscal services, has determined that for the first five-year period the sections are in effect, there will be \$50,000 in additional cost to state government for travel costs related to consultation, training conferences, technical assistance visits, and other meetings. During the same period of time, an additional cost of approximately \$1,500 to \$5,000 annually for each mental health state facility community-based program and community mental health and mental retardation center is anticipated. It is anticipated that following the first year of implementation, cost savings associated with changes in the standard of care will offset the initial training and consultation costs. There is no anticipated cost to small businesses as a result of administering the sections as proposed. There is no anticipated local economic impact.

Sue Dillard, director, office of standards and quality assurance, has determined that the public benefit is the adoption of current standards for services to persons with mental illness or mental retardation. There is no anticipated economic cost to persons who are required to comply with the sections as proposed.

Comments on the proposal may be submitted to Linda Logan, Director, Policy Development Section, Texas Department of Mental Health and Mental Retardation, P. O. Box 12668, Austin, Texas 78711-2668, within 30 days of publication.

The new sections are proposed under Texas Civil Statutes, Article 5547-202, §2.11, which provide the Texas Board of Mental Health and Mental Retardation with rulemaking powers.

§408.1. Purpose. The purpose of this subchapter is to designate the official standards of services to persons with mental illness or mental retardation to be pursued by the facilities of the Texas Department of Mental Health and Mental Retardation and community mental health and mental retardation centers.

§408.2. Application. The provisions of this subchapter apply to all facilities of the Texas Department of Mental Health and Mental Retardation and to community mental health and mental retardation centers.

§408.3. Definitions. The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

Accreditation—The state of being publicly or officially sanctioned as conforming to prescribed or desirable standards.

Center—A community mental health and mental retardation center established pursuant to Texas Civil Statutes, Article 5547-203.

Facility—Any hospital, state school for the mentally retarded, state center, or other institution of the Texas Department of Mental Health and Mental Retardation or any organizational entity that may be hereafter made a part of the department.

Plan of correction—Written response to internal or external quality assurance surveys which states the specific actions taken or planned to correct deficiencies, the person responsible for corrective action, and the anticipated date for compliance.

PRO—Professional review organization.

Quality assurance—The overall goal of ensuring the provision of optimal services to persons with mental illness or mental retardation. Movement toward this goal is a continuous process involving measurement of the level of care relative to norms, criteria, or standards, and taking corrective action to eliminate identified deficiencies.

Risk management—A set of activities undertaken to minimize the risk of adverse outcome to persons with mental illness or mental retardation and related malpractice/negligence lawsuits resulting from quality of treatment/training and/or physical plant problems.

§408.4. Scope. The Texas Department of

Mental Health and Mental Retardation assumes responsibility for:

(1) pursuing high quality in services and improvement in the level of service in facilities and programs affecting persons with mental illness or mental retardation through an integrated quality assurance program;

(2) promoting highest quality service to persons with mental illness or mental retardation delivered in community mental health and community mental retardation centers through performance contracting and standards compliance monitoring;

(3) providing for the establishment of a safe living environment for persons with mental illness or mental retardation, a safe working environment for staff, and safety for visitors to facilities/centers;

(4) minimizing the risk events in treatment/training which give rise to malpractice/negligence lawsuits and reducing the negative effects on persons with mental illness or mental retardation of such events through risk management;

(5) achieving facility and center compliance with applicable regulations (i.e., local, state, and federal statutes; and rules of the department);

(6) providing evidence (e.g., accreditation, certification, licensure, delegated review status, summary data from quality of care reviews and utilization reviews, and documentation of service improvement resulting from quality assurance activities) to persons served and their families and funding agencies of an effort to deliver an optimal level of service to all persons served at facilities/centers;

(7) promoting and enforcing an acceptable standard of care for organizations seeking to obtain and maintain licensure as private psychiatric hospitals or crisis stabilization units;

(8) promoting and enforcing an acceptable standard of care for programs seeking to obtain or maintain certification status as a TDMHMR-funded community residential program for persons with mental retardation;

(9) actively pursuing compliance with court agreements concerning services to persons with mental illness or mental retardation;

(10) providing program and services evaluation on a systematic basis for all services to persons with mental illness or mental retardation at TDMHMR facilities;

(11) cooperating with the designated Texas PRO agency to achieve the highest review evaluation possible for each facility;

(12) enacting the basic and general policies of the Texas Board of Mental

Health and Mental Retardation as expressed in its policy manual, which is herein adopted by reference as Exhibit A. A copy may be obtained from the Texas Department of Mental Health and Mental Retardation, P.O. Box 12668, Austin, Texas 78711-2668; and

(13) cooperating with boards overseeing each mental health and mental retardation professional to ensure higher quality professional staff performance, including, but not limited to, enforcing the provisions of Directive 12, relating to professional nursing quality assurance.

§408.5. Standards of Care.

(a) The Texas Department of Mental Health and Mental Retardation adopts by reference the following standards as integral to quality services in facilities and centers, as applicable.

(1) Joint Commission on Accreditation of Healthcare Organizations standards—Standards contained in Consolidated Standards for Child, Adolescent, and Adult Psychiatric, Alcoholism, and Drug Abuse Facilities or Accreditation Manual for Hospitals, as applicable, for mental health facilities.

(2) Medicare standards—Federal standards governing conditions of participation for hospitals serving persons under Title XVIII in mental health facilities, as contained in 42 Code of Federal Regulations 482, Subpart D.

(3) National Fire Protection Association (NFPA) standards—Standards contained in the NFPA's Life Safety Code.

(4) Rehabilitation Act of 1973, §504—Federal standards for rights of the handicapped.

(5) Medicaid standards—Standards governing intermediate care facilities for persons with mental retardation or related conditions (ICF-MR), codified in 42 Code of Federal Regulations, Chapter IV, Part 483, Subpart D, for all mental retardation facilities; and ACDD standards—standards of the Accreditation Council on Services for People with Developmental Disabilities for designated mental retardation facilities, as contained in Standards for Services for People with Developmental Disabilities.

(6) Community-based mental health program standards—Standards contained in TDMHMR Mental Health Community Standards of the Texas Department of Mental Health and Mental Retardation.

(7) Community-based mental retardation program standards—Standards contained in TDMHMR Community Standards for Individuals with Mental Retardation of the Texas Department of Mental Health and Mental Retardation.

(8) Commission on Laboratory

Accreditation of the College of American Pathologists (CAP) standards—Laboratory standards for all TDMHMR facilities contained in Standards of the Commission on Laboratory Accreditation of the College of American Pathologists.

(b) Copies of these documents are available for inspection at the Texas Department of Mental Health and Mental Retardation, 909 West 45th Street, Austin, Texas, or by writing to Texas Department of Mental Health and Mental Retardation, P.O. Box 12668, Austin, Texas 78711-2668.

§408.6. Governing Body. Except as delegated in facility/center policy manuals and position descriptions, the governing body assumes responsibility for the department's standards and quality assurance program. Through the departmental planning and budgeting process, the governing body establishes, maintains, and supports an ongoing quality assurance program. The governing body receives reports of program reviews, accreditation surveys, plans of correction, and other pertinent standards and quality assurance findings as necessary. Boards of trustees for community mental health and mental retardation centers assume governing body responsibilities as necessary in their accreditation processes.

§408.7. Director of Standards and Quality Assurance. Each facility and center will designate or appoint a director of standards and quality assurance on its staff to plan, monitor, implement, and evaluate compliance with applicable regulations and standards. This individual will be responsible directly to the facility/center head and maintain regular liaison with the department's office of standards and quality assurance. Depending on the demands for standards and quality assurance, the designated individual may be assisted by other standards and quality assurance staff or a consultant, or may only serve part time in this capacity, as described in Directive 11, relating to standards and quality assurance.

§408.8. Program Reviews. Under the coordination of the Office of Standards and Quality Assurance, regular reviews will be conducted of all service programs for persons with mental illness or mental retardation performed by department facilities and community mental health and mental retardation centers. These reviews will be aimed toward achieving the goals specified in this subchapter through an on-site interview and observation process followed by a written report, a plan of correction, and implementation of corrective actions by the facility/center.

§408.9. References. Reference is made to the following statutes, standards, and rules of the department:

(1) 42 Code of Federal Regulations 482, Subpart E (Medicare standards for psychiatric hospitals);

(2) 42 Code of Federal Regulations, Chapter IV, Part 483, Subpart D, §§483.400-483.480 (Medicaid standards for ICF-MR services);

(3) Rehabilitation Act of 1973 (Public Law 93-112, §504);

(4) Texas Mental Health and Mental Retardation Act (Texas Civil Statutes, Article 5547-201 et seq.);

(5) Mentally Retarded Persons Act (Texas Civil Statutes, Article 5547-300);

(6) Texas Mental Health Code (Texas Civil Statutes, Article 5547-1 et seq.);

(7) TDMHMR rules contained in the Texas Administrative Code, Title 25, Part II, Chapters 401-410;

(8) Directive 11, relating to standards and quality assurance, Texas Department of Mental Health and Mental Retardation;

(9) Directive 12, related to professional nursing quality assurance;

(10) TDMHMR Mental Health Community Services Standards, Texas Department of Mental Health and Mental Retardation, 1991;

(11) TDMHMR Community Standards for Individuals with Mental Retardation, Texas Department of Mental Health and Mental Retardation, 1988;

(12) Consolidated Standards for Child, Adolescent, and Adult Psychiatric, Alcoholism, and Drug Abuse Facilities, Joint Commission on Accreditation of Healthcare Organizations, 1989;

(13) Accreditation Manual for Hospitals, Joint Commission on Accreditation of Healthcare Organizations, 1989;

(14) Standards for Services for People with Developmental Disabilities, Accreditation Council on Services for People with Developmental Disabilities, 1987;

(15) Life Safety Code, National Fire Protection Association, 1985;

(16) Life Safety Code, National Fire Protection Association, 1988; and

(17) Standards of the Commission on Laboratory Accreditation of the College of American Pathologists, 1989.

§408.10. Distribution.

(a) Provisions of this subchapter shall be distributed to members of the Texas Board of Mental Health and Mental Retardation; the medical director, deputy commissioners, associate deputy commissioners, and assistant deputy commissioners, and directors of central office; and

superintendents and directors of all TDMHMR facilities and community centers.

(b) The superintendent or director of each facility and center shall disseminate this subchapter to all appropriate staff members and board members.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on September 10, 1990.

TRD-9009178

Pattilou Dawkins
Chairman
Texas Department of
Mental Health and
Mental Retardation

Earliest possible date of adoption: October 15, 1990

For further information, please call: (512) 465-4670

TITLE 28. INSURANCE Part II. Texas Workers' Compensation Commission

Chapter 122. Compensation Procedures-Claimants

Subchapter A. Claims Procedure for Injured Employees

• 28 TAC §122.1

The Texas Workers' Compensation Commission proposes new §122.1, concerning the notice that an employee is required to give his or her employer when an injury occurs.

The new section sets out the information that an employee should tell his or her employer when an injury occurs, requires the notice to be given within 30 days, and makes clear that an employee can lose the right to compensation payments if he or she does not tell the employer about an injury.

R. Glenn Looney, manager of planning and analysis, has determined that for the first five-year period the proposed section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section. There is no anticipated impact on employment, locally or statewide, as a result of implementing the section.

Mr. Looney, also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section is the implementation of the Workers' Compensation Act adopted by recent legislation. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Comments on the proposal may be submitted to Susan M. Kelley, General Counsel, Texas Workers' Compensation Commission, 200 East Riverside Drive, Austin, Texas 78704-11287. Comments will be accepted in

writing for 30 days after publication of this proposal in the *Texas Register*.

The new section is proposed under Texas Civil Statutes, Article 8308, §2. 09(a), which authorize the commission to adopt rules necessary to administer the Texas Workers' Compensation Act.

§122.1. Notice to Employer of Injury or Occupational Disease.

(a) Except as provided in subsection (b) of this section, an injured employee, or a person acting on that employee's behalf, must notify an employer of an injury by the 30th day after the date on which the injury occurs. Whether written or verbal, the notice of injury should include the following information:

(1) the name, address, and telephone number (if any) of the injured employee;

(2) the date, time, and place the injury occurred;

(3) a description of the circumstances and the nature of the injury;

(4) the names of any witnesses (if known);

(5) the name and location of the doctor that has treated the employee for the injury; and

(6) the name of the person (if any) acting on behalf of the injured employee.

(b) An employee whose injury results from an occupational disease, or a person acting on that employee's behalf, must give notice as required in subsection (a) of this section by the 30th day after the date on which the employee knew or should have known that the disease may be related to the employment. This notice must be given to the employer for whom the employee worked on the date of the last injurious exposure to the hazards of the disease.

(c) Any notice to the employer, whether in writing or otherwise, may be given to any employee of the employer who holds a supervisory or management position.

(d) Failure to notify the employer shall relieve the employer and the employer's insurance carrier from liability under the Texas Workers' Compensation Act (the Act) unless:

(1) the employer, or person eligible to receive notice under subsection (c) of this section, or the insurance carrier, had actual knowledge of the injury;

(2) good cause exists for failure to give notice in a timely manner; or

(3) the employer or insurance carrier does not contest the claim.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on September 10, 1990.

TRD-9009185

Susan M. Kelley
General Counsel
Texas Workers'
Compensation
Commission

Earliest possible date of adoption: October 15, 1990

For further information, please call: (512) 440-3973

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Part II. Texas Parks and Wildlife Department

Chapter 57. Fisheries

Fish Farmers

• 31 TAC §§57.361-57.367

(Editor's note: The text of the following sections proposed for repeal will not be published. The sections may be examined in the offices of the Texas Parks and Wildlife Department or in the Texas Register office, Room 245, James Earl Rudder Building, 1019 Brazos Street, Austin.)

The Texas Parks and Wildlife Department proposes the repeal of §§57.361-57.367, concerning packaging, raising, identification, sale, transportation, and possession of redfish (*Sciaenops ocellata*) and speckled sea trout (*Cynoscion nebulosus*) by a fish farmer. The legislature transferred the regulatory authority to the Texas Department of Agriculture. The legislation (Senate Bill 1507, Acts of the 71st Legislature) provides that the existing rules of the department cease to be in effect when new rules by the Texas Department of Agriculture become effective, which occurred on January 26, 1990.

Robin Riechers, staff economist, has determined that for the first five-year period the proposed repeals are in effect there will be minimal fiscal implications for state or local government as a result of enforcing or administering the repeals.

The department has filed a local employment impact statement with the Texas Employment Commission in compliance with the Administrative Procedure and Texas Register Act, §4A, and has received correspondence advising the department that the rules as proposed will have no local employment impact.

Mr. Riechers also has determined that for each year of the first five years the repeals are in effect the public benefit anticipated as a result of enforcing the repeals will be to permit new rules to be adopted by the Texas Department of Agriculture. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the repeals as proposed.

Comments on the proposed repeals may be submitted to Bill Rutledge, Chief of Fish Hatcheries, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744, 1-800-792-1112 or (512) 389-4859.

The repeals are adopted under Senate Bill 1507, Acts of the 71st Legislature, 1989, which provides that the existing rules are no longer in effect.

§57.361. Inspection.

§57.362. Possession and Size Limits.

§57.363. Invoices.

§57.364. Transported Fish.

§57.365. Package Contents' Identification.

§57.366. Delegation of Authority.

§57.367. Penalty for Violation.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009123 Boyd M. Johnson
General Counsel
Texas Parks and Wildlife
Department

Earliest possible date of adoption: October 15, 1990

For further information, please call: 1-800-792-1112, ext. 4859 or (512) 389-4859

◆ ◆ ◆
**TITLE 34. PUBLIC FI-
NANCE**
**Part IV. Employees
Retirement System of
Texas**

Chapter 81. Insurance

• **34 TAC §81.7**

(Editor's Note: The Employees Retirement System of Texas proposes for permanent adoption the amended section it adopts on an emergency basis in this issue. The text of the amended section is in the Emergency Rules section of this issue.)

The Employees Retirement System of Texas proposes an amendment to §81.7, concerning changes in coverage. Current trustee rules were appropriate when the Texas Employees Uniform Group Insurance Program (UGIP) conducted an annual "open" enrollment period which allowed enrollment in the insured plan and optional coverages, and the enrollment period extended through August 31. However, since changes permitted during the limited enrollment period are now related exclusively to enrollment in health maintenance organizations (HMOs), and since the limited enrollment period ends on August 1, the rules are no longer necessary.

William S. Nail, general counsel, has determined that for the first five-year period the section is in effect there will be no fiscal

implications for state or local government as a result of enforcing or administering the section.

Mr. Nail also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be that as a result of this amendment, the trustee rules will allow state employees in a leave without pay status during the limited enrollment period the right to make enrollment changes permitted other state employees during limited enrollment. The amendment also will reduce the burden of administration for state agencies and the Employees Retirement System of Texas. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the section as proposed.

Comments on the proposal may be submitted to William S. Nail, Employees Retirement System of Texas, P.O. Box 13207, Austin, Texas 78711-3207.

The amendment is proposed under the Texas Insurance Code, Article 3.50-2, §4, which provides the Board of Trustees of the Employees Retirement System of Texas with the authority to adopt rules as it shall deem necessary to insure the proper administration of the Texas Employees Uniform Group Insurance Benefits Act.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on September 6, 1990.

TRD-9009002 Charles D. Travis
Executive Director
Employees Retirement
System of Texas

Earliest possible date of adoption: October 15, 1990

For further information, please call: (512) 476-6431, ext. 213

◆ ◆ ◆
**TITLE 40. SOCIAL SER-
VICES AND ASSIS-
TANCE**

**Part I. Texas Department
of Human Services**

**Chapter 27. Intermediate Care
Facilities for Mentally
Retarded**

**Subchapter UUUU. Support
Documents**

• **40 TAC §27.9801**

The Texas Department of Human Services (DHS) proposes an amendment to §27.9801, concerning reimbursement methodology for intermediate care facilities for the mentally retarded. The purpose of the proposed amendment is to delete rules that require submitting amended cost reports and charging for out-of-state on-site audits, and to revise the policy on revenue offsets to discontinue the practice of offsetting ex-

penses by state and local government revenue.

Burton F. Raiford, chief financial officer, has determined that for the first five-year period the proposed section is in effect there will be fiscal implications for state government as a result of enforcing or administering the section. The effect on state government for the first five-year period the section is in effect will be an estimated increase in cost of \$202,372 for fiscal year 1990; \$471,280 for fiscal year 1991; \$491,044 for fiscal year 1992; \$498,222 for fiscal year 1993; and \$534,933 for fiscal year 1994. There will be no effect on local government as a result of enforcing or administering the section.

Mr. Raiford also has determined that for each year of the first five years the section is in effect the public benefit anticipated as a result of enforcing the section will be more funds available to provide ICF-MR services. There will be no effect on small businesses. There is no anticipated economic cost to persons who are required to comply with the proposed section as proposed.

Questions about the content of this proposal may be directed to Trey Berndt at (512) 450-3169 in DHS's Institutional Care Section. Comments on the proposal may be submitted to Cathy Rossberg, Agency Liaison, Policy and Document Support Department-471, Texas Department of Human Services E-503, P.O. Box 149030, Austin, Texas 78714-9030, within 30 days of publication in the *Texas Register*.

The amendment is proposed under the Human Resources Code, Title 2, Chapters 22 and 32, which provides the department with the authority to administer public and medical assistance programs.

§27.9801. *Reimbursement Methodology for Intermediate Care Facilities for the Mentally Retarded.*

(a) (No change.)

(b) Cost reporting procedures. Each provider must submit financial and statistical information on cost report forms provided by DHS or on facsimiles which are formatted according to DHS specifications and are preapproved by DHS staff.

(1)-(7) (No change.)

[(8) Amended cost reports. TDHS accepts amended cost reports until the completion of the rate determination process. Since this is a prospective reimbursement system without a provision for reconciliation, amended cost reports filed after the actual rate determination have no effect on the rate and are not accepted.]

[(8) [(9)] Cost report supplements. TDHS may at times require additional financial and other statistical information to ensure the fiscal integrity of the Texas Medicaid ICF-MR Program. Providers must submit the information to TDHS upon request, to the extent that it can be reasonably expected to be at the disposal of the provider.]

(9) [(10)] Failure to file an acceptable cost report. If a provider fails to file a cost report or files an unacceptable report and refuses to make necessary changes, TDHS may withhold vendor payments to that provider until the deficiencies are corrected.

(10)[(11)] Review of cost report. As specified in §24.201 of this title (relating to Basic Objectives and Criteria for Desk Review of Cost Reports), DHS staff review each cost report to ensure that all financial and statistical information submitted conforms to all applicable rules and instructions. Cost reports not completed according to instructions or rules are returned to the provider for proper completion.

(11)[(12)] On-site cost report audits.

(A)-(C) (No change.)

(D) In-state and out-of-state access to records. Whenever possible, the records specified in subparagraph (C) of this paragraph must be accessible to DHS audit staff in the State of Texas. When records are not available to DHS audit staff within the state, the provider must pay the costs for DHS staff to travel and review the records out-of-state.]

(D) [(E)] Reviews of cost report disallowances. A provider who disagrees with disallowances of items in a cost report may request an informal review and, when necessary, an administrative hearing as specified in §24.601 of this title (relating to Reviews and Administrative Hearings).

(12)[(13)] Notification of exclusions and adjustments. DHS notifies providers of exclusions and adjustments to reported expenses made during the department's desk reviews and on-site audits of cost reports, as specified in §24.401 of this title (relating to Notification).

(c)-(e) (No change.)

(f) Cost finding methodology.

(1) Exclusion of and adjustments to certain reported expenses. Providers must eliminate unallowable expenses from the cost report.

(A) (No change.)

(B) If there is reasonable doubt as to the accuracy or allowability of a significant part of the information reported, DHS may eliminate individual cost reports from the rate base. These adjustments include, but are not necessarily limited to, the following.

(i) Revenue offsets. TDHS distinguishes between two types of revenues: resident revenues [accruing to the ICF-MR in payment for direct resident care

services given, including room and bed holds;] and [all] other revenues. Resident revenues are contractual payments for basic services provided in an ICF-MR. Resident revenues include payments by residents, their families, and third parties such as Medicaid, Medicare, private insurance, and payments from state and local government. Other revenues include interest income, gifts, grants, and donations from private sources, beauty and barber shop receipts, prior year overpayments, vending machine proceeds, gift shop receipts, and payment for meals by employees or guests. These other revenues are used to offset reported expenses after allowances for reasonable overhead costs. Interest income is used to offset working capital interest expense, not to exceed total interest costs. An exception is interest income from funded depreciation accounts or qualified pension funds, which is not treated as a revenue offset item. For facilities reporting central office overhead expenses, interest income is offset against interest expenses before the allocation of central office costs to individual ICFs-MR.

(ii)-(v) (No change.)

(2)-(4) (No change.)

(g)-(h) (No change.)

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on September 7, 1990.

TRD-9008094

Cathy Rosenberg
Agency Liaison, Policy and
Document Support
Department
Texas Department of
Human Services

Proposed date of adoption: November 1, 1990

For further information, please call: (512) 450-3765

Chapter 29. Purchased Health Services

Subchapter K. Definitions

The Texas Department of Human Services proposes an amendment to §29.1001 and new Subchapter Z, §§29.2501-29.2503, concerning Medicaid reimbursement of services performed by certified family nurse practitioners (FNPs) and certified pediatric nurse practitioners (PNPs), in its Purchased Health Services chapter. The purpose of the amendment and new sections is to implement federally mandated Medicaid coverage for these advanced nurse practitioners. The sections specify provider qualifications and enrollment requirements, conditions for participation, limitations, and the reimbursement methodology. Section 6504 of Public Law 101-239 (the Omnibus Budget Reconciliation Act of 1989) mandated coverage of services by FNPs and PNPs. The law specifies that covered ser-

VICES must be within the FNPs and PNPs' scope of practice as determined by state law.

Burton F. Ralford, chief financial officer, has determined that for the first five-year period the proposed sections are in effect there will be fiscal implications as a result of enforcing or administering the sections. The effect on state government for the first five-year period the sections are in effect will be an increase in costs of \$360,561 for fiscal year (FY) 1990; \$2,035,026 for FY 1991; \$2,338,279 for FY 1992; \$2,626,662 for FY 1993; and \$3,097,755 for FY 1994.

Mr. Ralford also has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result of enforcing the sections will be improved accessibility to primary medical care for Medicaid clients. There will be no effect on small businesses as a result of enforcing or administering the sections. There is no anticipated economic cost to persons who are required to comply with the proposed sections.

Questions about the content of this proposal may be directed to Penny Kendall at (512) 338-6521 in Purchased Health Services. Comments on the proposal may be submitted to Cathy Rosenberg, Policy and Document Support-488, Texas Department of Human Services E-503, P.O. Box 149030, Austin, Texas 78714-9030, within 30 days of publication in the *Texas Register*. The department will hold a public hearing on the proposal on Tuesday, October 2, 1990, at 9 a.m. in the John H. Winters Building Public Hearing Room, First Floor, East Tower, 701 West 51st Street, Austin.

• 40 TAC §29.1001

The amendment is proposed under the Human Resources Code, Title 2, Chapters 22 and 32, which provides the department with the authority to administer public and medical assistance programs.

§29.1001. *General Definitions for Purchased Health Services.* The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

Certified family nurse practitioner—A currently licensed registered nurse who is recognized as a family nurse practitioner by the state licensing board for nurses and who is certified as such by the American Nurses' Association.

Certified pediatric nurse practitioner—A currently licensed registered nurse who is recognized as a pediatric nurse practitioner by the state licensing board for nurses and who is certified as such by the American Nurses' Association.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on September 10, 1990.

TRD-909186

Cathy Rosenberg
Agency Liaison, Policy and
Document Support
Department
Texas Department of
Human Services

Proposed date of adoption: November 15, 1990

For further information, please call: (512) 450-3765

◆ ◆ ◆
Subchapter Z. Certified Family Nurse Practitioner and Pediatric Nurse Practitioner Services

• **40 TAC §§29.2501-29.2503**

The new sections are proposed under the Human Resources Code, Title 2, Chapters 22 and 32, which provides the department with the authority to administer public and medical assistance programs.

§29.2501. Benefits and Limitations.

(a) Effective July 1, 1990, and subject to the specifications, conditions, requirements, and limitations established by the department or its designee, services performed by certified family nurse practitioners (FNPs) and certified pediatric nurse practitioners (PNPs) are covered if the services:

(1) are within the scope of practice for advanced nurse practitioners, as defined by state law;

(2) are consistent with rules and regulations promulgated by the Texas State Board of Nurse Examiners or other appropriate state licensing authority; and

(3) would be covered by the Texas Medical Assistance Program if provided by a licensed physician (M.D. or D.O.).

(b) To be payable, services must be reasonable and medically necessary as determined by the department or its designee.

(c) FNPs and PNPs who are employed or remunerated by a physician, hospital, facility, or other provider must not bill the Texas Medical Assistance Program directly for their services if that billing would result in duplicate payment for the same services. If the services are coverable and reimbursable by the program, payment may be made to the physician, hospital, or other provider (if the provider is approved for participation in the Texas Medical Assistance Program) who employs or reimburses advanced nurse practitioners. The basis and amount of Medicaid reimbursement depend on the services actually provided, who provided the services, and the reimbursement methodology determined by the Texas Medical Assistance Program as appropriate for the services and the providers involved.

§29.2502. Conditions for Participation. To be a provider of Medicaid covered services, a certified family nurse practitioner (FNP) or certified pediatric nurse practitioner (PNP) must:

(1) be licensed by the Texas State Board of Nurse Examiners or other appropriate state licensing authority;

(2) be recognized by the licensing authority as an FNP or PNP;

(3) be certified as an FNP or PNP by the American Nurses' Association;

(4) comply with all applicable federal and state laws and regulations governing the services provided;

(5) be enrolled and approved for participation in the Texas Medical Assistance Program;

(6) sign a written provider agreement with the department or its designee;

(7) comply with the terms of the provider agreement and all requirements of the Texas Medical Assistance Program, including regulations, rules, hand-books, standards, and guidelines published by the department or its designee; and

(8) bill for services covered by the Texas Medical Assistance Program in the manner and format prescribed by the department or its designee.

§29.2503. Reimbursement. Covered services provided by certified pediatric and family nurse practitioners are reimbursed on the basis of the lesser of actual charge or maximum fee established by the department or its designee. The maximum fee is based on a calculation of 70% of the locality's prevailing profile for the service when provided by a physician in family practice.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on September 10, 1990.

TRD-9009187

Cathy Rosenberg
Agency Liaison, Policy and Document Support Department
Texas Department of Human Services

Proposed date of adoption: November 15, 1990

For further information, please call: (512) 450-3765

◆ ◆ ◆
Part IV. Texas Commission for the Blind
Chapter 171. Cooperative Activities

• **40 TAC §171.3**

The Texas Commission for the Blind proposes an amendment to §171.3, concerning the various memoranda of agreement into which the agency has entered to facilitate the

statewide delivery of services to disabled persons in Texas. The proposed amendment adds a memorandum of agreement between the agency and other agencies pursuant to Senate Bill 417 of the 71st Texas Legislature which mandates specified state agencies to adopt by rule a memorandum of understanding for the provision of the services necessary to prepare students enrolled in special education programs for a successful transition to life outside the public school system.

Michael T. Phillips, deputy director of administration and finance, has determined that for the first five-year period the section is in effect there will be no fiscal implications for state or local government as a result of enforcing or administering the section.

Pat D. Westbrook, executive director, has determined that for each year of the first five years the section as proposed is in effect the public benefit anticipated as a result of enforcing the section as proposed will be a coordination of effort among parties to the memorandum of understanding in the provision of the services necessary to prepare students enrolled in special education programs for a successful transition to life outside the public school system. There will be no effect on small businesses. There is no anticipated economic cost to person who are required to comply with the section as proposed.

Comments on the proposal may be submitted to Pat D. Westbrook, Executive Director, Texas Commission for the Blind, P.O. Box 12866, Austin, Texas 78711.

The amendment is proposed under the rehabilitation Act of 1973 as amended, Human Resources Code, Title 5, Chapter 91, which provides the Texas Commission for the Blind with the authority to develop mechanisms and procedures that tend to assist visually handicapped individuals in bridging gaps between educational, institutional, rehabilitative, vocational, and related types of services operated by public and private nonprofit organizations throughout the state.

§171.3. Memoranda of Understanding between Agencies. In the spirit of cooperation and coordination, and to facilitate the delivery of statewide services to disabled persons in Texas, the commission has entered into various memoranda of agreements which delineate the responsibilities and agreements between the various parties. A copy of each memorandum of understanding enumerated in the section is available for review at the commission's central office located at 4800 North Lamar Boulevard, Austin, or a copy may be obtained by writing to the commission at P.O. Box 12866, Austin, Texas 78711, or by calling (512) 459-2600.

(1)-(3) (No change.)

(4) Transition planning for students enrolled in special education. The commission adopts by reference the terms of a memorandum of understanding on transition planning for students enrolled in special education. Parties to the memorandum of understanding are the Texas Education Agency, the Texas

Commission for the Blind, the Texas Department of Human Services, the Texas Employment Commission, the Texas Department of Mental Health and Mental Retardation, and the Texas Rehabilitation Commission. Said memorandum of

understanding is set out at 19 TAC §89.246.

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's authority to adopt.

Issued in Austin, Texas, on September 6, 1990.

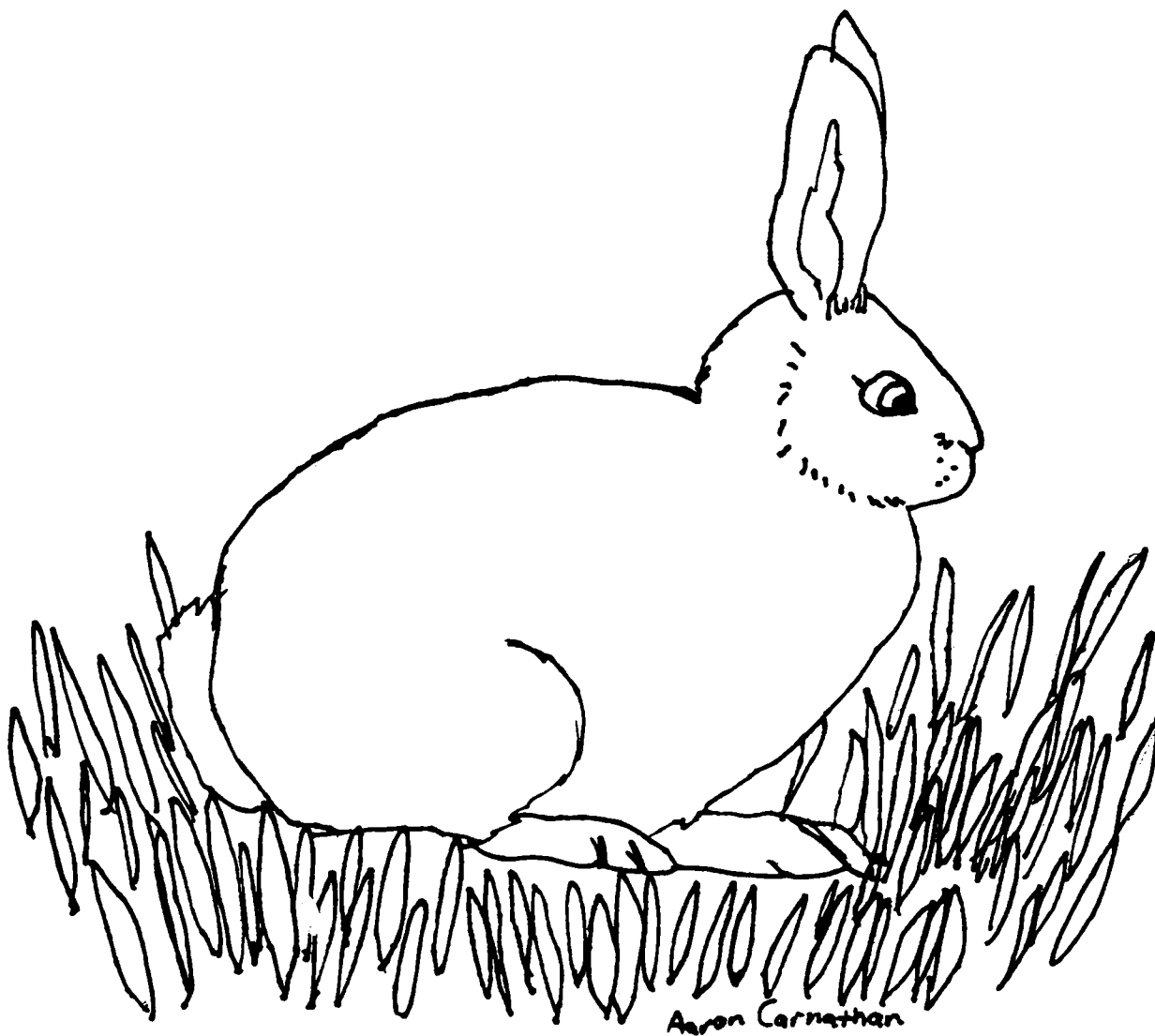
TRD-9009111

Pat D. Westbrook
Executive Director
Texas Commission for the
Blind

Earliest possible date of adoption: October 15, 1990

For further information, please call: (512) 459-2600

◆ ◆ ◆



Name: Aaron Carnathan
Grade: 6
School: Haltom Middle School, Birdville

Withdrawn Sections

An agency may withdraw proposed action or the remaining effectiveness of emergency action on a section by filing a notice of withdrawal with the *Texas Register*. The notice is effective immediately upon filing or 20 days after filing. If a proposal is not adopted or withdrawn six months after the date of publication in the *Texas Register*, it will automatically be withdrawn by the office of the Texas Register and a notice of the withdrawal will appear in the *Texas Register*.

TITLE 16. ECONOMIC REGULATION

Part I. Railroad Commission of Texas Chapter 5. Transportation Division

Subchapter Q. Miscellaneous Provisions

• 16 TAC §5.318

Pursuant to Texas Civil Statutes, Article 6252-13, §5(b), and 1 TAC §91. 24(b), the proposed new §5.318, submitted by the Railroad Commission of Texas has been automatically withdrawn, effective September 7, 1990. The withdrawal as proposed appeared in the March 6, 1990, issue of the *Texas Register* (15 TexReg 1224).

TRD-9009074

TITLE 28. INSURANCE

Part I. State Board of Insurance

Chapter 21. Trade Practices

Subchapter B. Insurance Advertising, Certain Trade Practices, and Solicitation

• 28 TAC §21.113

Pursuant to Texas Civil Statutes, Article 6252-13, §5(b), and 1 TAC §91. 24(b), the proposed amendment to §21.113, submitted by the State Board of Insurance has been automatically withdrawn, effective September 11, 1990. The amendment as proposed appeared in the March 9, 1990, issue of the *Texas Register* (15 TexReg 1283).

TRD-9009242

Part II. Texas Workers' Compensation Commission

Chapter 122. Compensation Procedures-Claimants

Subchapter A. Claim Procedure for Injured Employees

• 28 TAC §122.1

The Texas Workers' Compensation Commission has withdrawn from consideration for permanent adoption a proposed new §122.1 which appeared in the September 7, 1990, issue of the *Texas Register* (15 TexReg 5098). The effective date of this withdrawal is September 10, 1990.

Issued in Austin, Texas, on September 10, 1990

TRD-9009184

Susan M. Kelley
General Counsel
Texas Workers'
Compensation
Commission

Effective date: September 10, 1990

For further information, please call: (512) 440-3973

TITLE 34. PUBLIC FINANCE

Part II. State Treasurer

Chapter 15. Electronic Transfer of Certain Payments to State Agencies

• 34 TAC §§15.1-15.17

The State Treasurer has withdrawn from consideration for permanent adoption a proposed new and amended §§15.1-15.17 which appeared in the August 24, 1990, issue of the *Texas Register* (15 TexReg 4879). The effective date of this withdrawal is September 7, 1990.

Issued in Austin, Texas, on September 7, 1990

TRD-9009152

Anne L. Schwartz
General Counsel
State Treasurer

Effective date: September 7, 1990

For further information, please call: (512) 463-5971

• 34 TAC §§15.4-15.16

The State Treasurer has withdrawn from consideration for permanent adoption a proposed repeal of §§15.4-15.16 which appeared in the August 24, 1990, issue of the *Texas Register* (15 TexReg 4879). The effective date of this withdrawal is September 7, 1990.

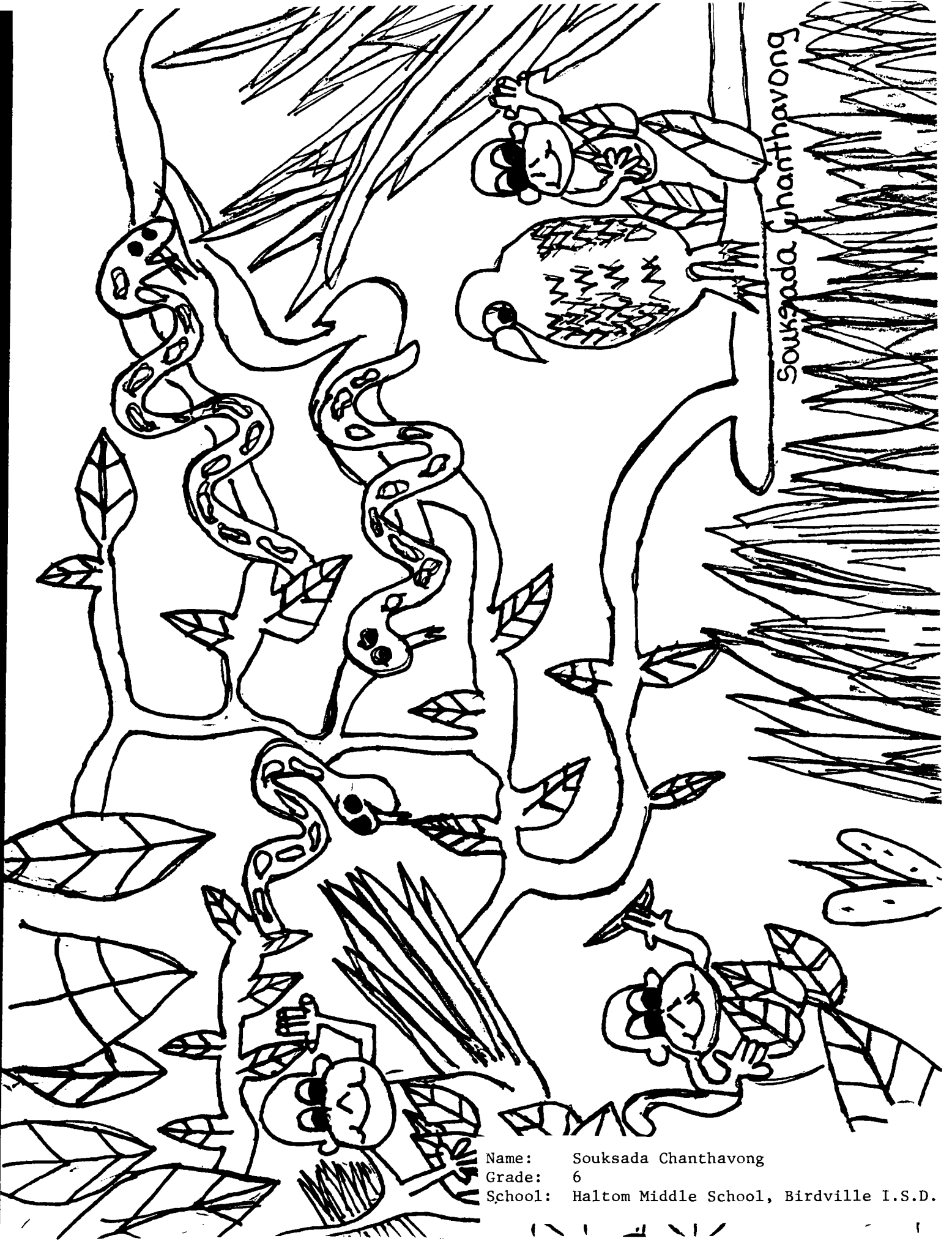
Issued in Austin, Texas, on September 7, 1990

TRD-9009153

Anne L. Schwartz
General Counsel
State Treasurer

Effective date: September 7, 1990

For further information, please call: (512) 463-5971



Souksada Chanthavong

Name: Souksada Chanthavong
Grade: 6
School: Haltom Middle School, Birdville I.S.D.

Adopted Sections

An agency may take final action on a section 30 days after a proposal has been published in the *Texas Register*. The section becomes effective 20 days after the agency files the correct document with the *Texas Register*, unless a later date is specified or unless a federal statute or regulation requires implementation of the action on shorter notice.

If an agency adopts the section without any changes to the proposed text, only the preamble of the notice and statement of legal authority will be published. If an agency adopts the section with changes to the proposed text, the proposal will be republished with the changes.

TITLE 4. AGRICULTURE Part II. Animal Health Commission

Chapter 35. Brucellosis

Subchapter A. Eradication of Brucellosis in Cattle

• 4 TAC §35.2

The Texas Animal Health Commission adopts an amendment to §35.2, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3391).

The amendment was necessary to provide the herd owners with retest provisions for animals infected with brucellosis.

A retest of animals with a test discrepancy between field, or market and the laboratory has been provided for; vaccinated animals that are card-positive but are classified negative on the PCFIA or CITE tests can move intrastate; field-tested cattle are required to be identified to aid in trace backs; market card-positive, CITE, or PCFIA negative vaccinated animals are allowed to move intrastate; "S" branding is required on all cattle in quarantined feedlots except steers and spayed heifers.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provide the commission with the authority to adopt rules and set forth the duties of the commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-900925 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

• 4 TAC §35.6

The Texas Animal Health Commission adopts the repeal of §35.6, without changes to the proposed text as published in the Au-

gust 3, 1990, issue of the *Texas Register* (15 TexReg 4429).

The section was repealed because it has been replaced with new indemnity requirements.

No comments were received regarding adoption of the repeal.

The repeal is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of the commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009144 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: August 3, 1990

For further information, please call: (512) 479-6697

The Texas Animal Health Commission (TAHC) adopts new §35.6, without changes to the proposed text as published in the August 3, 1990, issue of the *Texas Register* (15 TexReg 4429).

The new section was necessary to provide for payment of depopulation funds to selected herd owners.

Payment of depopulation funds can be made to selected herd owners as a tool for accelerating the eradication of brucellosis from Texas cattle herds. Specific criteria are required for a herd owner to qualify for payment such as having no more than 30 test-eligible cattle in the herd; testing of the entire herd; the signing of a depopulation agreement; complying with all requirements pertaining to herd depopulation; and classification of at least 10% of the cattle tested on the initial herd test as reactors, or having had two consecutive herd tests on which reactors were disclosed.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provide the commission with authority to adopt rules and set forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009126 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: August 3, 1990

For further information, please call: (512) 479-6697

Subchapter B. Eradication of Brucellosis in Swine

• 4 TAC §35.41

The Texas Animal Health Commission adopts an amendment to §35.41, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3392).

The amendment was necessary in order to delete the "dealer" definition.

The definition for "dealer" is defined in other swine regulations and the deletion of this definition removes duplication.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provide the commission with the authority to adopt rules and set forth the duties of the commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009127 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

• 4 TAC §35.43

The Texas Animal Health Commission adopts the repeal of §35.43, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3392).

The section was repealed because identification and testing requirements are now set forth in §55.7.

No comments were received regarding adoption of the repeal.

The repeal is adopted under the Agriculture Code, Texas Civil Statutes, chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of the commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009145 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697



The Texas Animal Health Commission adopts new §35.43, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3392).

The new section was necessary to provide for collection of blood samples. This section was previously known as §35.44 with language concerning slaughter plants being moved to §55.7.

Authorization and guidelines are set forth for person who collect swine blood for brucellosis testing and reporting of test results.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provide the commission with authority to adopt rules and set forth the duties of the commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009128 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697



◆ 4 TAC §35.44

The Texas Animal Health Commission adopts the repeal of §35.44, without changes to the proposed text as published in the June

12, 1990, issue of the *Texas Register* (15 TexReg 3393).

The section was repealed in order to change the numbering sequence and was re-adopted as §35.43.

No comments were received regarding adoption of the repeal.

The repeal is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of the commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009146 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697



The Texas Animal Health Commission adopts new §35.44, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3393).

This new section was previously known as §35.45 and the text of the section has not changed. This new section is necessary so the commission can identify reactor swine.

Swine which are classified as reactors are required to be identified with a red serially numbered reactor tag in the left ear and must be sold to slaughter within 15 days of the date they are identified. Quarantined and exposed swine must be accompanied by a VS 1-27 permit when they are moved. When these swine are moved, they must be segregated from all other classes of livestock. Exposed swine must be individually identified by eartag.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009130 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697



◆ 4 TAC §35.45

The Texas Animal Health Commission adopts the repeal of §35.45, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3393).

The section was repealed in order to change the numbering sequence and was re-adopted as §35.44.

No comments were received regarding adoption of the repeal.

The repeal is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of the commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009147 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697



The Texas Animal Health Commission adopts new §35.45, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3393).

This new section was previously known as §35.46 and the text of the section has not changed. This new section provides the commission with the authority for handling brucellosis infected herds of swine.

Swine in infected herds must be quarantined and confined to the premises until the herd is free of brucellosis or sold for slaughter under permit. Two negative herd blood tests are required before the herd can be released from quarantine. This new section sets forth details on restricted movement and procedures for releasing quarantines on infected herds of swine.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009131 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

◆ ◆ ◆
• 4 TAC §35.46

The Texas Animal Health Commission Adopts the repeal of §35.46, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3393).

The section was repealed in order to change the numbering sequence and was re-adopted as §35.45.

No comments were received regarding adoption of the repeal.

The repeal is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of the commission to protect livestock in the state disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009148 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

◆ ◆ ◆
The Texas Animal Health Commission adopts new §35.46, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3394).

This new section was previously known as §35.47 and the text of the section has not changed. This new section provides for eradication of brucellosis from infected swine herds.

The owner of an infected swine herd must select one of three plans, or one similar, for eliminating the disease and qualify the herd for validated free herd status, if desired. Plan One is recommended for commercial swine herds; Plan Two is for use in purebred swine herds; and Plan Three is useful in herds when only a few factor reactor swine are found and no clinical symptoms of brucellosis have been noted.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter

161 which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009132 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

◆ ◆ ◆
• 4 TAC §35.47

The Texas Animal Health Commission adopts the repeal of §35.47, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3393).

The section was repealed in order to change the numbering sequence and was re-adopted as §35.46.

No comments were received regarding adoption of the repeal.

The repeal is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of the commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009149 John W. Holcome, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

◆ ◆ ◆
• 4 TAC §35.49

The Texas Animal Health Commission adopts the repeal of §35.49, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3395).

The section was repealed because dealer recordkeeping requirements are now set forth in §55.8.

No comments were received regarding adoption of the repeal.

The repeal is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties

of the commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009150 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

◆ ◆ ◆
• 4 TAC §35.60

The Texas Animal Health Commission adopts new §35.60, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3396).

It is necessary to provide definitions of words, terms, and phrases used in dairy goat regulations

The definitions in this new section will assist the reader in interpreting how the terms "BRT" ("Brucellosis Ring Test"), "Certified Free Herd," "Dairy Goats," "Herd," "Individual Herd Plan," "Negative Herd Blood Test," "Negative Milk Ring Tests," "Provisions for Release of Quarantine," "Quarantine and Re-test Provisions," "Reactor and Suspect" are used in the dairy goat regulations.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009133 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

◆ ◆ ◆
Subchapter C. Eradication of
Brucellosis in Dairy Goats

• 4 TAC §35.61

The Texas Animal Health Commission adopts new §35.61, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3396).

This new section provides general requirements for obtaining a certified brucellosis free herd of dairy goats.

A herd owner must complete and sign a herd plan; test all off-spring that are of test-age; and follow established requirements after classification of a dairy goat as a reactor or suspect. Herd owners are provided with the means to obtain a certified brucellosis free herd, thus providing them with less restrictions for movement of the animals to other states.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009134 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

Chapter 36. Exotic Livestock and Fowl

• 4 TAC §36.1

The Texas Animal Health Commission adopts new §36.1, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3396).

This new section is necessary to provide definitions of words, terms, and phrases used for exotic livestock and fowl.

The definitions in this new section will assist the reader in interpreting how the terms are used in the exotic livestock and fowl regulations.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on September 7, 1990.

TRD-9009135 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

• 4 TAC §36.2

The Texas Animal Health Commission adopts new §36.2, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3397).

This new section is necessary to provide requirements for importation of exotic animal into Texas.

All exotic livestock and fowl entering Texas from any state, territory, or foreign county must have an entry permit issued by the commission and a certificate of veterinary inspection to help assure that animals are free of disease and parasites. Specific tests for brucellosis and tuberculosis are required for Elk, Water Buffalo, and Sika Deer, while brucellosis and pseudorabies tests are required for the Vietnamese Pot-bellied pig.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on September 7, 1990.

TRD-9009136 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

Chapter 43. Tuberculosis

Subchapter B. Dairy Goats

• 4 TAC §43.10

The Texas Animal Health Commission adopts new §43.10, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3398).

This new section provides definitions of words, terms, and phrases used for tuberculosis accredited herd plans for dairy goats.

The definitions in this new section will assist the reader in interpreting how the terms are used in this regulation.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter

161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on September 7, 1990.

TRD-9009137 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

• 4 TAC §43.11

The Texas Animal Health Commission adopts new §43.11, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3398).

This new section was necessary to set forth the requirements for a tuberculosis-free dairy goat herd, thus providing more freedom of movement for Texas dairy goats moving interstate.

Dairy goats over 12 months of age must be tested for tuberculosis before the herd can be certified or recertified. Dairy goats that are classified as reactors or suspects are quarantined and tested on the same schedule as cattle (see §43.1 of this title (relating to Cattle)).

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on September 7, 1990.

TRD-9009138 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

Chapter 55. Swine

• 4 TAC §55.5

The Texas Animal Health Commission adopts an amendment to §55.5, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3400).

It was necessary to amend the rule to remove duplicative language.

The slaughter test and recordkeeping requirements are found in §55.7 and §55.8.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on September 7, 1990.

TRD-9009139 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

• 4 TAC §55.7

The Texas Animal Health Commission adopts new §55.7, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3400).

This new section is necessary to require that slaughter plants arrange for the collection of blood from carcasses of all sows and boars.

Slaughter plants must arrange for the collection of blood from the carcasses of all sows and boars, and submission of the blood to be tested for brucellosis and pseudorabies, thus identifying infection and allowing the tracing of animals to their herds of origin. Veterinarians, authorized slaughter plant employees, or regularly employed representatives of the commission or USDA are authorized to collect blood samples for the purpose of conducting tests for brucellosis and pseudorabies. The slaughter plants are responsible for mailing the blood samples to state-federal laboratory within 24 hours from the time the sample is collected.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on September 7, 1990.

TRD-9009140 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

• 4 TAC §55.8

The Texas Animal Health Commission adopts new §55.8, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3400).

This new section provides the definition for a "dealer". This new section is necessary to require dealers to keep records of swine transactions.

The definition in this section defines the term "dealer" as being a person engaged in the business of buying or selling swine in commerce on his own account or for others; a dealer must keep records of swine transactions by giving the name and address of the buyer and seller, the county of origin, number, breed, and sex of animals, and some form of individual identification number; auctions and commission firms are required to show the delivery vehicle license numbers.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009141 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

Chapter 59. General Practice and Procedures

• 4 TAC §59.2

The Texas Animal Health Commission adopts an amendment to §59.2, without changes to the proposed text as published in the June 12, 1990, issue of the *Texas Register* (15 TexReg 3401).

This amendment was necessary to provide the manner in which the executive director of the agency may vary or waive any provisions of the rules regulated by this agency.

When there are unusual and extenuating circumstances or individual hardship to a herd owner, the executive director may vary or waive any provisions of the rules provided such waiver does not conflict with sound epidemiological principles.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas on September 7, 1990.

TRD-9009142 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: June 12, 1990

For further information, please call: (512) 479-6697

• 4 TAC §59.4

The Texas Animal Health Commission (TAHC) adopts new §59.4, without changes to the proposed text as published in the August 3, 1990, issue of the *Texas Register* (15 TexReg 4430).

This new section was necessary to comply with the Texas Agriculture Code, §161.051.

The TAHC staff will provide that information be given by TAHC staff to the Department of Public Safety (DPS) concerning health papers and permits required for entry of livestock into this state. The DPS staff will report possible entry violations to TAHC, and TAHC will notify DPS of the location of its roadblocks or special or night operations.

No comments were received regarding adoption of the new section.

The new section is adopted under the Agriculture Code, Texas Civil Statutes, Chapter 161, which provides the commission with the authority to adopt rules and sets forth the duties of this commission to protect livestock in the state from disease.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009143 John W. Holcombe, DVM
Executive Director
Texas Animal Health
Commission

Effective date: September 28, 1990

Proposal publication date: August 3, 1990

For further information, please call: (512) 479-6697

TITLE 34. PUBLIC FINANCE

Part IV. Texas Bond Review

Chapter 181. Bond Review Board

Subchapter A. Bond Review Rules

• 34 TAC §181.3, §181.4

The Texas Bond Review Board adopts amendments to 34 TAC, §181.3 and §181.4, without changes to the proposed text as published in the August 3, 1990, issue of the *Texas Register*.

The Texas Bond Review Board adopts the sections to establish guidelines under which the board will accept and review applications by certain state agencies and universities to issue state bonds or to enter into lease-purchase agreements under the jurisdiction of the board.

Section 181.3 is adopted to facilitate the review process and establish deadlines for the submission of additional information (amended application) by applicants concerning issues before the board.

Section 181.4 is adopted to accommodate board staff members and to allow additional time for review of the issues scheduled for approval by changing the day on which the regular staff planning meeting is held to the second Tuesday of each month.

The amendments facilitate the review process of applications submitted to the Bond Review Board for approval.

No comments were received regarding adoption of the amendments.

The amendments are adopted under Chapter 1078 §3, Acts of the 70th Legislature, Regular Session, 1987 (Texas Civil Statutes Article 717k-7), which gives the Texas Bond Review board the authority to adopt rules governing application for review, the review process, and reporting requirements involved in the issuance of state bonds.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, September 5, 1990.

TRD-9008989 Tom K. Pollard
Executive Director
Texas Bond Review Board

Effective date: September 26, 1990

Proposal publication date: August 3, 1990

For further information, please call: (512) 463-1741



TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Services

Chapter 3. Income Assistance Services

Subchapter MM. Aid to Families with Dependent Children - Unemployed Parent Program

• 40 TAC §§3.3901-3.3911

The Texas Department of Human Services (DHS) adopts new §§3.3901-3.3911. Sections 3.3906, 3.3910, and 3.3911 are adopted with changes to the proposed text as published in the July 17, 1990, issue of the *Texas Register* (15 TexReg 4106). Sections 3.3901-3.3905 and 3.3907-3.3909 are adopted without changes and will not be re-published.

The new sections are justified to comply with a mandate of the Federal Family Support Act of 1988.

The new sections will function by providing assistance to two-parent families in need because one or both parents are unemployed.

The department received one written comment on the proposed new sections during the public comment period. The commenter represented the Houston Welfare Rights Organization of Houston. A summary of the comments and the department's responses follows.

Comment concerning §3.3905: The commenter suggested that DHS add a sentence to clarify that the family has to wait six months between periods of eligibility; that the section is cumbersome as written; and that DHS should pursue full-year funding.

Response: The department is not changing the rule because it is correct as written. The department is pursuing full-year funding for the program.

Comment concerning §§3.3906, 3.3910, and 3.3911: The commenter suggested adding a sentence to §3.3906 to clarify that the conversion from aid for dependent children-unemployed parent (AFDC-UP) cash program to medical assistance only (MAO) is automatic and reapplication is not required. The commenter also referenced §3.3920 and §3.3911.

Response: The department agrees and has added the clarifying sentence to the three sections.

Comment concerning §3.3907: The commenter had no objection but stated that federal regulations require the parent to work 16 hours per week. The commenter asked where these jobs will be, and whether the department can supply that much work from Job Training Partnership Act program on job placements.

Response: By 1994, 40% of the AFDC-UP caseload must participate at least 16 hours per week. The department hopes that the

jobs are available by then. Until that time, AFDC-UP recipients will participate as regular job opportunities and basic skills (JOBS) participants in the JOBS components currently available in the state plan.

Comment concerning §3.3907(b): The commenter supports exempting JOBS county residents who are too remote to participate.

Comment concerning §3.3909: The commenter opposes carrying JOBS sanction from cash assistance to MAO.

Response: This policy is based on a federal requirement.

Comment concerning §3.3910 and §3.3911: The commenter stated that the regulations should say what the difference is between Medicaid Type Program (TP) 07 and TP 37.

Response: There is no difference in the coverage provided in TP 07 and TP 37. The only difference is how a family qualified for the coverage. Section 3.3910 and §3.3911 state the coverage requirements.

The new sections are adopted under the Human Resources Code, Title 2, Chapters 22, 31, and 32, which provides the department with the authority to administer public and medical assistance programs.

§3.3906. AFDC-UP Medicaid Assistance Only (MAO).

(a) Purpose. Clients receive AFDC-UP MAO when they are no longer receiving AFDC-UP payments because of time limitation. They do not have to reapply.

(b) Eligibility. Clients must meet all AFDC-UP eligibility requirements while receiving AFDC-UP MAO. Clients who have been receiving AFDC-UP MAO and who then become ineligible are not eligible for TP 07 or TP 37 Medicaid.

(c) Duration. AFDC-UP MAO coverage stops at the end of the family's assigned case year. The family must reapply to again receive AFDC-UP benefits.

§3.3910. Eligibility for Type Program 07 Medicaid Services. AFDC-UP clients who are denied AFDC-UP cash and medical benefits because of new or increased earnings of a parent or because of increased work hours of the principal wage earner parent are eligible for 12 months post Medicaid, as stipulated in the Social Security Act, §1925, and §3.2204 of this title (relating to Type Program 07 Medicaid). They do not have to reapply.

§3.3911. Eligibility for Type Program 37 Medicaid Services. AFDC-UP clients who are denied because a parent or certified child is no longer eligible for the earned income disregard are eligible for up to 12 months post Medicaid as stipulated in the Social Security Act, §1925, and §3.2205 of this title (relating to Type Program 37 Medicaid). They do not have to reapply.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel

and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 10, 1990.

TRD-9009191 Cathy Rossberg
Agency Liaison, Policy and
Document Support
Department
Texas Department of
Human Services

Effective date: October 1, 1990

Proposal publication date: July 17, 1990

For further information, please call: (512) 450-3765

Chapter 14. County Indigent Health Care Program

Subchapter A. Program Administration

The Texas Department of Human Services (DHS) adopts amendments to §§14. 1, 14.101, 14.103, 14.104, 14.105, 14.109, 14.202, 14.203, and 14.204 in its County Indigent Health Care Program chapter. Section 14.204 is adopted with changes to the proposed text as published in the June 26, 1990, issue of the *Texas Register* (15 TexReg 3689). Sections 14.1, 14.101, 14.103, 14.104, 14.105, 14.109, and 14.202, and 14.204 are adopted without changes and will not be republished.

The amendments are justified to settle a pending lawsuit, to include changes requested by the County Indigent Health Care Program (CIHCP) advisory committee, and to make CIHCP policy consistent with Medicaid policy.

The amendments will function by ensuring that county governments will pay, on an ongoing basis, the health care costs of persons appealing social security disability determination denials if those persons are otherwise eligible for the County Indigent Health Care Program. If the appellants become eligible for supplemental security income (SSI) and accompanying Medicaid coverage, CIHCP counties may claim Medicaid reimbursement for the Medicaid-covered services provided by the CIHCP during the period of retroactive Medicaid eligibility. Other changes incorporate Medicaid policy changes, and clarify policy concerning foster children and the monthly maximum countable income standards.

During the public comment period, the department received five written comments on the proposed amendments that require a CIHCP to pay for health care services of persons appealing social security disability denials if the appellants are otherwise eligible for the CIHCP and if other conditions are met. Three of the comments were positive, and two were negative. Commenters included representatives of Grayson County, the Grayson County Health Department, Liberty County, the Texas Hospital Association, and the Upshur County Indigent Health Program. Three similar negative comments were received after the comment period and the August 2, 1990, DHS Board meeting, which authorized adoption of the rules. The three

commenters were a state senator and representatives of Harrison County and Polk County. A summary of the comments and the department's responses follow.

Three commenters supported the amendments because they enable persons with a desperate need for medical care to receive it. SSI/SSDI appellants who otherwise meet CIHCP eligibility standards are experiencing increasing difficulty in receiving critically needed health care services because they are unable to pay providers. The adopted rules will enhance receipt of services because they provide for more timely CIHCP payment for services delivered by Medicaid-enrolled providers. The rules also enable counties to recover the costs for services provided to those appellants who are granted Medicaid eligibility retroactively.

The commenters opposing adoption of the SSI/SSDI-related amendments did so for three reasons. First, opponents are concerned that the rules requiring counties to pay for CIHCP services for SSI/SSDI appellants conflict with the Indigent Health Care and Treatment Act payor-of-last-resort provision. The Act relieves counties from liability for payment for services if another adequate payment source is available. Medicaid coverage is not available to SSI/SSDI appellants while they are in the appeals process. The rule amendments make services available to these appellants, and the amendments also make Medicaid reimbursement available to counties when the appellants are later determined to be retroactively Medicaid-eligible. Since Medicaid reimbursement is available for these appellants, the CIHCP payor-of-last-resort provision is not compromised.

The second basis for opposition is that counties were not individually surveyed to determine their views. DHS sent the proposed rules to each CIHCP county when the rules were initially published in the *Texas Register*. In addition, the SSI/SSDI issue and the proposed rules were extensively discussed by the CIHCP Advisory Committee at its March and June 1990 meetings. Adoption of the proposed amendments was recommended by a majority of the CIHCP Advisory Committee members at their June 1990 meeting. The advisory committee was established to assist DHS with the resolution of issues and development of CIHCP policies and procedures. The 11 voting committee members are elected and appointed county officials, CIHCP administrators representing each area of the state, and a client advocate. Representatives of county associations and provider groups also serve as non-voting, *ex officio*, members. CIHCP counties are not the only group with an interest in CIHCP rules. Although it may be desirable, it is not feasible for DHS to conduct an opinion poll of every county, every hospital district, health care provider, health care advocate, and affected program applicant or participant in the state—all with a vested interest in the CIHCP—for every CIHCP issue. Soliciting and receiving input from all parties is a primary purpose of the rule publication and comment process, the Advisory Committee, and the representative associations and advocacy groups.

A third concern expressed was whether CIHCP counties could or would receive Medicaid reimbursement for services provided to

retroactively eligible SSI/Medicaid recipients. The federal Department of Health and Human Services informed DHS in writing that Medicaid reimbursement made in compliance with these adopted rules is consistent with the scope and intent of the Medicaid program. The claims process established by these rules places a minimal burden on CIHCP counties. The DHS indigent health care unit is assuming primary responsibility for monitoring and facilitating the processing of each county claim. Counties that comply with the adopted claims process should experience negligible, if any, difficulty in receiving reimbursement.

One commenter requested clarification of the rule prohibiting providers from billing appellants for amounts exceeding the CIHCP payment standard. This prohibition applies only to payments for CIHCP-eligible appellants who subsequently become eligible for SSI/Medicaid. If the appellant does not become Medicaid-eligible, the provider's assignment becomes void. A clarifying statement was added to the appellant/provider assignment form to clarify that the prohibition is not applicable if the appellant is never determined Medicaid-eligible.

The department has made minor technical changes to §14.204(h), concerning county claims for Medicaid/Vendor Drug Program reimbursement. Paragraphs (2) and (3) of subsection (h) are revised to specify that the provider must assign his Medicaid reimbursement rights to the county and DHS rather than to the county and the CIHCP state assistance fund. Paragraph (5)(C) of subsection (h) is also revised, and paragraph (5)(D) is deleted, and a sentence is inserted in paragraph (6) to simplify the Medicaid claims system for counties. These simplifications were permitted by improvements to the internal DHS procedures for processing CIHCP county claims for prescription drugs. The change allows counties to use the same procedures for claiming reimbursement for both prescription and non-prescription services.

• 40 TAC §14.1

The amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public and medical assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 10, 1990.

TRD-9009188 Cathy Rossberg
Agency Liaison, Policy and
Document Support
Department
Texas Department of
Human Services

Effective date: October 1, 1990

Proposal publication date: June 26, 1990

For further information, please call: (512) 450-3765

Subchapter B. Determining Eligibility

- 40 TAC §§14.101, 14.103, 14.104, 14.105, 14.109

The amendments are adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public and medical assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 10, 1990.

TRD-9009189
Cathy Roseberg
Agency liaison, Policy and
Document Support
Department
Texas Department of
Human Services

Effective date: October 1, 1990

Proposal publication date: June 26, 1990

For further information, please call: (512) 450-3765

Subchapter C. Providing Services

- 40 TAC §§14.202-14.204

The amendments are adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public and medical assistance programs.

§14.204. *Services and Payment Liability, Limitations, and Options.*

(a)-(e) (No change.)

(f) Counties have the option to request that an eligible county resident, except an SSI/SSDI appellant, contribute a nominal amount toward the cost of mandatory services. If, however, the resident is unable or unwilling to make the nominal contribution, the county cannot deny eligibility or limit services. Counties that select this option must define the nominal amount.

(g) (No change.)

(h) Counties may claim Medicaid/Vendor Drug Program reimbursement for mandatory services provided to an SSI/SSDI appellant if the services are furnished by a Title XIX-enrolled provider; if the SSI/SSDI appellant is later determined to be retroactively eligible for SSI/Medicaid; and if the remaining requirements described in this subsection are met.

(1) An SSI/SSDI appellant who meets all other CIHCP eligibility requirements is considered an eligible household member if the applicant assigns his third-party recovery rights to the county and DHS by completing and signing the appellant/provider assignment form. The

SSI/SSDI appellant's Medicaid ineligibility is verified by a social security disability denial.

(2) The county is legally liable for mandatory services furnished to an eligible county resident who is also an SSI/SSDI appellant only if:

(A) the provider is a Title XIX-enrolled provider; and

(B) the provider assigns his Medicaid reimbursement rights to the county and DHS by completing and signing the appellant/provider assignment form.

(3) By assigning his Medicaid reimbursement rights to the county and DHS, the provider agrees that:

(A) payment by the county of the lesser of the billed amount or the CIHCP payment standard constitutes payment in full; and

(B) the provider is prohibited from billing the eligible county resident for any services reimbursed by the county.

(4) The county must include on the monthly financial/activity report:

(A) the names of newly approved CIHCP recipients who are also SSI/SSDI appellants; and

(B) all changes in the eligibility status of a recipient who is an SSI/SSDI appellant and who was previously reported on the monthly financial/activity report.

(5) Within 30 days of the date entered by DHS on the SSI/SSDI appellant notification/claim form reporting the person's Medicaid eligibility, the county must:

(A) complete and send the notice of ineligibility form to the Medicaid-eligible person; and

(B) notify all providers who assigned their Medicaid reimbursement rights:

(i) that the Medicaid-eligible person is ineligible for the County Indigent Health Care Program;

(ii) of the initial date of Medicaid eligibility; and

(iii) that unpaid bills for services provided on or after the Medicaid effective date should be filed directly with the Texas Medicaid/Vendor Drug Program; and

(C) separately claim reimbursement for prescription drugs and non-

prescription services provided during the period of retroactive Medicaid eligibility by:

(i) fully completing the SSI/SSDI appellant notification claim form;

(ii) attaching one copy of the appellant/provider assignment form for the county resident and each provider who received county reimbursement; and

(iii) enclosing the original bills for all paid mandatory services.

(6) DHS will process the claim, complete a State of Texas purchase voucher, and send it to the county for signature and submittal to DHS to receive reimbursement.

(A) Upon receipt of reimbursement, the county subtracts the amount of reimbursement from expenditures creditable toward eligibility for state assistance funds in the state fiscal year in which reimbursement is received.

(B) County expenditures for mandatory services provided to an SSI/SSDI appellant are creditable toward the county's 10% GRTL liability and eligibility for state assistance funds whether or not the county claims Medicaid/Vendor Drug Program reimbursement. Not creditable are county expenditures for bills received by the county on or after the date the county is notified of the appellant's Medicaid/SSI eligibility.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 10, 1990.

TRD-9009190
Cathy Roseberg
Agency liaison, Policy and
Document Support
Department
Texas Department of
Human Services

Effective date: October 1, 1990

Proposal publication date: June 26, 1990

For further information, please call: (512) 450-3765

Chapter 24. Reimbursement Methodology

Subchapter A. Determination of Payment Rates

- 40 TAC §24.102

The Texas Department of Human Services (DHS) adopts an amendment to §24.102, with changes to the proposed text as published in the July 17, 1990, issue of the *Texas Register* (15 Tex Reg 4111).

The justification for the amendment is to establish precise time frames for providers to

submit amended cost reports and to allow the state to collect from providers the costs of out-of-state audits.

The amendment will function by establishing clear time frames for providers and reducing the cost of conducting audits.

The department received written comments concerning the proposed section from the Texas Health Care Association. The commenter felt that subsection (c) and the fiscal impact statement are unclear as to whether the charges for out-of-state audits are to be for each facility, or if the charges would apply to the home office and the maximum charge for the audit would be \$5,000. The fiscal impact of \$5,000 per audit is an estimate of the average travel and per diem costs to conduct an audit out-of-state. The provider will be billed the actual cost to conduct the audit regardless of the number of facilities involved in the audit. There will not be a flat predetermined amount billed to the facility or the central office. The length of the audit and the associated costs may vary based on the accuracy and availability of documentation supporting the costs of the cost report and the complexity of the organization being audited. The department is revising this section to clarify its intent to bill the provider the actual costs of conducting the out-of-state on-site audit.

The commenter was also concerned that the expense for the out-of-state audit be "reimbursed by the agency at 100%, because the audits themselves are required by Medicaid." Costs associated with auditing a facility are allowable costs, should be reported on the cost report, and will be used in determining Medicaid reimbursement rates. No revision to the proposed section is needed in response to this comment.

The commenter recommended that the time frame for placing a vendor hold for failure to pay the cost of an out-of-state audit, as described in subsection (c), be changed from 30 to 90 days. The department recognizes the difficulty a provider might have in paying the costs of an out-of-state audit in 30 days or less and is revising this section to clarify that the payment for the costs of out-of-state audits will be due in 60 days or a hold may be placed on the vendor payments of the facility.

The department made minor editorial changes to clarify subsection (c).

The amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public and medical assistance programs.

§24.102. Methodology.

(a) (No change.)

(b) Amended cost report due dates.

All contracted providers must submit cost reports to the Texas Department of Human Services (DHS) in a manner prescribed by the department. DHS accepts amended cost reports submitted on the request of the provider until 180 days after the due date of the cost report or 15 working days prior to the public hearing on proposed rates, whichever occurs first. Since this is a prospective reimbursement system without a

provision for reconciliation, amended cost reports filed after this date have no effect on the rate and are not accepted. Amended cost report information that cannot be verified by 10 working days prior to the hearing will not be used in rate determination.

(c) Cost of out-of-state audits. As specified in §24.201 of this title (relating to Basic Objectives and Criteria for Desk Review of Cost Reports), DHS conducts desk reviews of all the cost reports that it receives. The department also conducts on-site audits of provider records and cost reports. Although the number of on-site audits performed each year may vary, the department seeks to maximize the number of on-site audited cost reports available for use in its cost projections. Whenever possible, the records necessary to verify information submitted to DHS on Medicaid cost reports, including related-party transactions and other business activities engaged in by the provider, must be accessible to DHS audit staff in the State of Texas. When records are not available to DHS audit staff within the state, the provider must pay the actual costs for DHS staff to travel and review the records out-of-state. If a provider fails to reimburse DHS for these costs within 60 days of the request for payment, DHS may place a hold on the vendor payments until the costs are paid in full. As specified in §24.401 of this title (relating to Notification), providers may be notified about exclusions and adjustments to reported expenses made during desk reviews and on-site audits.

(d)-(k) (No change.)

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009095

Cathy Rossberg
Agency Liaison, Policy and
Document Support
Department
Texas Department of
Human Services

Effective date: October 1, 1990

Proposal publication date: July 17, 1990

For further information, please call: (512) 450-3765

Chapter 46. Residential Care Program

Support Documents

• 40 TAC §46.7001

The Texas Department of Human Services (DHS) adopts an amendment to §46.7001, without changes to the proposed text as published in the July 17, 1990, issue of the *Texas Register* (15 Tex Reg 4112).

The justification for the amendment is to establish precise time frames for providers to

submit amended cost reports and to allow the state to collect from providers the costs of out-of-state audits.

The amendment will function by establishing clear time frames for providers and reducing the cost of conducting audits.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which provides the department with the authority to administer public and medical assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009096

Cathy Rossberg
Agency Liaison, Policy and
Document Support
Department
Texas Department of
Human Services

Effective date: October 1, 1990

Proposal publication date: July 17, 1990

For further information, please call: (512) 450-3765

Chapter 48. Community Care for the Aged and Disabled

Support Documents

• 40 TAC §48.9801, §48.9805

The Texas Department of Human Services (DHS) adopts amendments to §48.9801 and §48.9805, without changes to the proposed text as published in the July 17, 1990, issue of the *Texas Register* (15 TexReg 4112).

The justification for the amendments is to establish precise time frames for providers to submit amended cost reports and to allow the state to collect from providers the costs of out-of-state audits.

The amendments will function by establishing clear time frames for providers and reducing the cost of conducting audits.

No comments were received regarding adoption of the amendments.

The amendments are adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public and medical assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009098

Cathy Rossberg
Agency Liaison, Policy and
Document Support
Department
Texas Department of
Human Services

Effective date: October 1, 1990

Proposal publication date: July 17, 1990
For further information, please call: (512)
450-3765

◆ ◆ ◆
**Chapter 52. Emergency
Response Services**

Claims

• **40 TAC §52.502**

The Texas Department of Human Services (DHS) adopts an amendment to §52.502, without changes to the proposed text as published in the July 17, 1990, issue of the *Texas Register* (15 TexReg 4113).

The justification for the amendments is to establish precise time frames for providers to submit amended cost reports and to allow the state to collect from providers the costs of out-of-state audits.

The amendments will function by establishing clear time frames for providers and reducing the cost of conducting audits.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public and medical assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009097 Cathy Roseberg
Agency liaison, Policy and
Document Support
Department
Texas Department of
Human Services

Effective date: October 1, 1990

Proposal publication date: July 17, 1990

For further information, please call: (512)
450-3765

◆ ◆ ◆
**Chapter 53. Family Care
Program**

Claims

• **40 TAC §53.502**

The Texas Department of Human Services (DHS) adopts an amendment to §53.502, without changes to the proposed text as published in the July 17, 1990, issue of the *Texas Register* (15 Tex Reg 4113).

The justification for the amendment is to establish precise time frames for providers to submit amended cost reports and to allow the state to collect from providers the costs of out-of-state audits.

The amendment will function by establishing clear time frames for providers and reducing the cost of conducting audits.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Human Resources Code, Title 2, Chapters 22 and 32, which authorizes the department to administer public and medical assistance programs.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009099 Cathy Roseberg
Agency liaison, Policy and
Document Support
Department
Texas Department of
Human Services

Effective date: October 1, 1990

Proposal publication date: July 17, 1990

For further information, please call: (512)
450-3765

◆ ◆ ◆
TITLE 43. TRANSPORTATION
**Part III. Texas Department
of Aviation**
**Chapter 65. Aviation Facilities
Development and Financial
Assistance Rules**

• **43 TAC §§65.1-65.21**

The Texas Department of Aviation adopts the repeal of §§65.1-65.21, without changes to the proposed text as published in the June 22, 1990, issue of the *Texas Register* (15 TexReg 3625).

The repeal of §§65.1-65.21, is done in conjunction with adoption of a set of new rules governing aviation facilities development and financial assistance. House Bill 94 changed the department's facilities development program. Repeal of the existing rules and enactment of the new rules will facilitate administration of funds and programs in accordance with current law.

The repeals will delete obsolete requirements and allow the adoption of new rules which will provide for administration of funds and programs in accordance with current law.

No comments were received regarding adoption of the repeals.

The repeals are adopted under Texas Civil Statutes, Articles 46c-4, 46c-6, and 46c-8A, which provide the Texas Department of Aviation with the authority to make and amend rules and regulations: encourage, aid, and assist in the establishment of airports and air navigation facilities: provide funds for establishment, construction, reconstruction, enlargement or repair of airports, airstrips, or air navigational facilities; and act as agent for the state and political subdivisions to apply for, receive, and disburse federal funds for non reliever general aviation airports.

The department hereby certifies that the section as adopted has been reviewed by legal counsel and found to be a valid exercise of the department's legal authority.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, on September 6, 1990.

TRD-9009019 Lydia Scarborough
Director, Support and
Services
Texas Department of
Aviation

Effective date: September 27, 1990

Proposal publication date: June 22, 1990

For further information, please call: (512)
476-9262

◆ ◆ ◆
• **43 TAC §§65.1-65.20**

The Texas Department of Aviation adopts new §§65.1-65.20, without changes to the proposed text as published in the June 22, 1990, issue of the *Texas Register* (15 TexReg 3625).

The new sections are adopted in conjunction with the repeal of existing rules governing aviation facilities development and financial assistance. House Bill 94 changed the department's facilities development program. Repeal of the existing rules and enactment of the new rules will facilitate administration of funds and programs in accordance with current law.

The new sections will provide for administration of facilities development funds and programs in accordance with current law.

No comments were received regarding adoption of the new sections.

The new sections are adopted under Texas Civil Statutes, Articles 46c-4, 46c-6, and 46c-8A, which provide the Texas Department of Aviation with the authority to make and amend rules and regulations: encourage, aid, and assist in the establishment of airports and air navigation facilities: provide funds for established, construction, reconstruction, enlargement or repair of airports, airstrips, or air navigational facilities: and act as agent for the state and political subdivisions to apply for, receive and disburse federal funds for nonreliever general aviation airports.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued in Austin, Texas, September 6, 1990.

TRD-9009018 Lydia Scarborough
Director, Support and
Services
Texas Department of
Aviation

Effective date: September 27, 1990

Proposal publication date: June 22, 1990

For further information, please call: (512)
476-9262

Notification Pursuant to the Insurance Code, Chapter 5, Subchapter L

(Editor's note: As required by the Insurance Code, Article 5.96 and Article 5.97, the Register publishes notices of actions taken by the State Board of Insurance pursuant to Chapter 5, Subchapter L, of the Code. Board action taken under these articles is not subject to the Administrative Procedure and Texas Register Act, and the final actions printed in this section have not been previously published as proposals.

These actions become effective 15 days after the date of publication or on a later specified date.

The text of the material being adopted will not be published, but may be examined in the offices of the State Board of Insurance, 1110 San Jacinto Street, Austin.)

The State Board of Insurance has approved various agenda items presented at the August 29, 1990, annual fire hearing affecting the rules, rates, and policy and endorsement forms of the Texas homeowners policy and the Texas general basis schedules, which is the manual governing the writing of said policy. The agenda items approved are as follows:

Agenda Item 6-90 approved an amendment to the rules in the homeowners section of the Texas general basis schedules to clarify that the charge for additional residences need not be made under a primary Texas homeowners policy for additional residences that are insured by a separate Texas homeowners policy or personal liability policy. This eliminates

an unnecessary charge and eliminates the stacking of multiple liability limits.

Agenda Item 7-90 approves a new Amendatory Endorsement Form Number HO-150, to be attached to all Texas homeowners policies using coverage forms HO-C, HOC-T, or HO-CON-C to correct the special limit of liability on jewelry/watches/furs to be applicable to loss caused by theft or mysterious disappearance in lieu of just loss cause by theft. This correction is necessary in order that the new simplified Texas homeowners policy be consistent with the coverage in the current Texas standard homeowners policy.

Agenda Item 10-90 adopts a new Form HO-315, neighborhood homeowners assessment coverage, along with rules and rates to provide loss assessment coverage to members of a neighborhood homeowners association. Many homeowner associations have assessment privileges to their members involving inadequate insurance coverage on property owned by all members in common. The new loss assessment coverage allows individual member homeowners to purchase coverage to insure against this exposure.

Agenda Item 11-90 adopts a new Form Number HO-320, general change endorsement, to be used to amend the Texas homeowners policy for changes to the policy that do not involve additional or return premium. The new general change endorsement can be used only for a 30-day period at which time any change must be incorporated onto the policy using an amended declaration page.

The general change endorsement is intended for minor changes that must be made to the policy until an amended declaration page can be issued.

Agenda Item 12-90 amends the rules in the homeowners section of the Texas general basis schedules to allow additional information to be included on a homeowners declaration page that is specifically set out by rule or by approval of the State Board of Insurance. Allowing additional information on the declaration page will enhance the capabilities of generating policies by computer and eliminate confusion regarding information that can be shown on a declaration page.

These changes are to be effective October 1, 1990.

This notification is made pursuant to the Insurance Code, Article 5.96, which exempts it from the requirements of the Administrative Procedure and Texas Register Act.

This agency hereby certifies that the rule as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

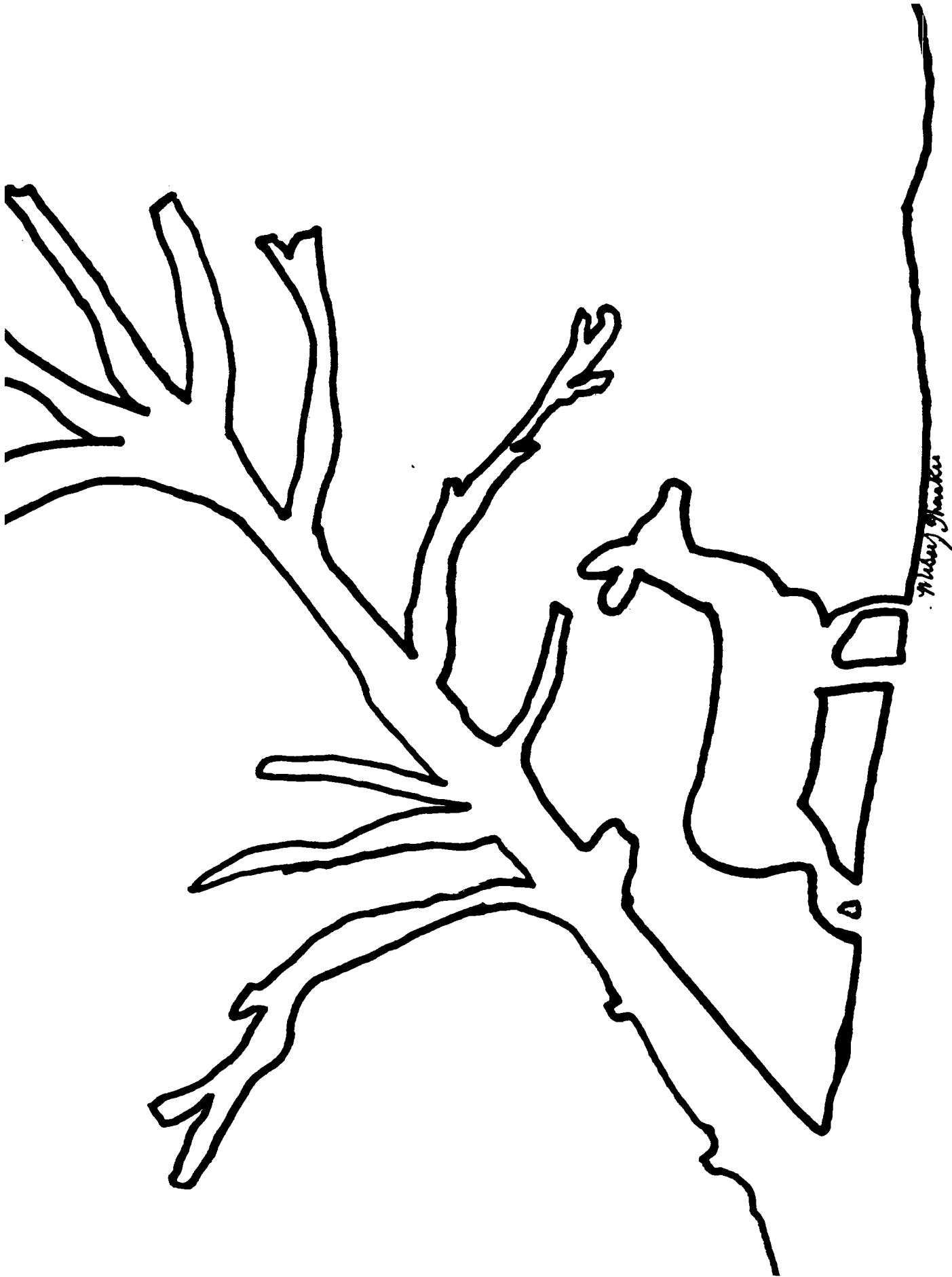
Issued in Austin, Texas, on September 7, 1990.

TRD-9009151 Nicholas Murphy
Chief Clerk
State Board of Insurance

Effective date: October 1, 1990

For further information, please call: (512) 463-6327





Name: Missy Thacker
Grade: 8
School: Haltom Middle School, Birdville I.S.D.

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 prior to 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 named 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. Emergency meeting notices filed by all governmental agencies will be published.

Posting of open meeting notices. All notices are posted on the bulletin board outside the Office of the Secretary of State on the first floor of the East Wing in the State Capitol, Austin. These notices may contain more detailed agenda than what is published in the *Texas Register*.

Texas Department of Agriculture

Tuesday, September 18, 1990, 7:30 p.m.
The Scurry County Cotton Producers Board of the Texas Department of Agriculture will meet at the Snyder Chamber of Commerce Board Room, 2302 Avenue R, Snyder. According to the complete agenda, the board will review minutes; review finances; discuss election; discuss cotton crop; and other business.

Contact: Jon Derouen, P.O. Drawer CC, Snyder, Texas 79549, (915) 573-3558.

Filed: September 10, 1990, 3:23 p.m.

TRD-9009217

Thursday, September 20, 1990, 10 a.m.
The Texas Soybean Producers Board of the Texas Department of Agriculture will meet at the Texas Department of Agriculture, Stephen F. Austin Building, Ninth Floor Conference Room, 1700 North Congress Avenue, Austin. According to the complete agenda, the board will discuss minutes, financial report; allocations; budget; old and new business.

Contact: Trent Roberts, Department 1068, P.O. Box 650290, Dallas, Texas 75265-0290, 1-800-247-8691.

Filed: September 10, 1990 10:58 a.m.

TRD-9009194

Wednesday, September 26, 1990, 1 p.m.
The Produce Recovery Fund Board of the Texas Department of Agriculture will meet at the 1700 North Congress Avenue, Stephen F. Austin Building, Ninth Floor Conference Room, Austin. According to the complete agenda, the board will conduct an administrative hearing before the board to review: contest of determination issued by the department in the case of Obst Brothers Farms vs. A-W Produce Company.

Contact: Dolores Alvarado Hibbs, P.O. Box 12847, Austin, Texas 78711, (512) 463-7583.

Filed: September 6, 1990, 10:35 a.m.

TRD-9009008

Thursday, September 27, 1990, 10 a.m.

The Produce Recovery Fund Board of the Texas Department of Agriculture will meet at the 1700 North Congress Avenue, Stephen F. Austin Building, Ninth Floor Conference Room, Austin. According to the complete agenda, the board will conduct an administrative hearing before the board to review: contest of determination issued by the department in the case of Honey-Do Farms vs. Teddy Bertuca and Jack Raddad doing business as Teddy Bertuca Company, Inc.

Contact: Dolores Alvarado Hibbs, P.O. Box 12847, Austin, Texas 78711, (512) 463-7583.

Filed: September 6, 1990, 10:36 a.m.

TRD-9009009

Thursday, September 27, 1990, 1 p.m.
The Produce Recovery Fund Board of the Texas Department of Agriculture will meet at the 1700 North Congress Avenue, Stephen F. Austin Building, Ninth Floor Conference Room, Austin. According to the complete agenda, the board will conduct an administrative hearing before the board to review: contest of determination issued by the department in the case of Richard C. Shelton doing business as Mid Valley Brokerage Company vs. J. S. McManus Produce.

Contact: Dolores Alvarado Hibbs, P.O. Box 12847, Austin, Texas 78711, (512) 463-7583.

Filed: September 6, 1990, 10:35 a.m.

TRD-9009007

Texas Alcoholic Beverage Commission

Monday, September 24, 1990, 2 p.m.
The Texas Alcoholic Beverage Commission will meet at 5806 Mesa Street, Room 185, Austin. According to the complete agenda, the commission will approve minutes of July 26, 1990 meeting; hear administrator's and staffs' report of agency activity; and approve affidavits of destruction of tested alcoholic beverages.

Contact: W. S. McBeath, P.O. Box 13127, Austin, Texas 78711, (512) 458-2500.

Filed: September 11, 1990, 10:01 a.m.

TRD-9009244

Texas Commission on the Arts

Thursday, September 20, 1990, 11:30 a.m.
The Texas Commission on the Arts will meet at the Radisson Plaza Hotel-Capitol Ballroom, 700 San Jacinto, Austin. According to the agenda summary, the commission will introduce guests; hold a public hearing; discuss items for commission consent; items for individual consideration; items for information only; meet in executive session.

Contact: Betty J. Brown, P.O. Box 13406 Capitol Station, Austin, Texas 78711, (512) 463-5535.

Filed: September 7, 1990, 1:09 p.m.

TRD-9009110

Texas Cosmetology Commission

Saturday, October 13, 1990, 1 p.m.
The Texas Cosmetology Commission will meet at the Radisson Plaza Hotel, 700 San Jacinto Boulevard, Austin. According to the complete agenda, the commission will have introductions; yearly meeting with the inspection force; inter-agency contract with the board of barber examiners; open meeting.

Contact: Laura Donges, 1111 Rio Grande, Austin, Texas 78701, (512) 463-3182.

Filed: September 7, 1990, 2:03 p.m.

TRD-9009114

Texas Department of Criminal Justice Board of Pardons and Paroles

Tuesday-Friday, September 17-21, 1990, 10 a.m. The Texas Department of Criminal Justice Board of Pardons and Paroles will meet at 2503 Lake Road, Suite 2, Huntsville. According to the agenda summary, a panel (composed of three board members) will receive, review, and consider information and reports concerning prisoners/inmates and administrative releasees subject to the board's jurisdiction and initiate and carry through with appropriate action.

Contact: Karin Armstrong, 8610 Shoal Creek Boulevard, Austin, Texas 78758, (512) 459-2713.

Filed: September 7, 1990, 10:57 a.m.

TRD-9009100

Texas State Board of Dental Examiners

Saturday, September 22, 1990, 2 p.m. The Dental Laboratory Certification Council of the Texas State Board of Dental Examiners will meet at the Bahai Mar Hotel, 6100 Padre Boulevard, South Padre Island. According to the complete agenda, the council will discuss continuing education requirements; approval of laboratory registrations; proposed rule changes; election of officers.

Contact: Crockett Camp, 327 Congress Avenue, Suite 500, Austin, Texas 78701, (512) 477-2985.

Filed: September 7, 1990, 2:04 p.m.

TRD-9009115

The Council on Disabilities (TRC)

Friday, September 21, 1990, 2 p.m. The Barrier Free Park Committee of the Council on Disabilities (TRC) will meet at 4900 North Lamar Boulevard, Public Hearing Room, Austin. According to the complete agenda, the committee will hold a general discussion of legal aspects of council's participation in a barrier free park project; subcommittee reports; establish next meeting date.

Contact: Jerry Ann Robinson, 4900 North Lamar Boulevard, Austin, Texas 78751, (512) 483-4353.

Filed: September 6, 1990, 2:12 p.m.

TRD-9009032

Friday, September 21, 1990, 8 a.m. The Committee for Disability Awareness of the Council on Disabilities (TRC) will meet at 4900 North Lamar Boulevard, Brown Heatly Building, Austin. According to the

complete agenda, the committee will hold a discussion of elements of the disability awareness conference planned for early February 1991; i.e., exact date, place, modules to be included, continuing education units possible. Committee may develop a recommendation to be brought before the council.

Contact: Jerry Ann Robinson, 4900 North Lamar Boulevard, Austin, Texas 78751, (512) 483-4353.

Filed: September 6, 1990, 2:13 p.m.

TRD-9009034

Friday, September 21, 1990, 10 a.m. The Board of the Council on Disabilities (TRC) will meet at 4900 North Lamar Boulevard, Public Hearing Room, Austin. According to the complete agenda, the board will welcome new members and guests; minutes of July 20, 1990 meeting; hear citizens comments; task force reports; state plan; demographic survey, awareness conference, transportation, ADA; old and new business.

Contact: Jerry Ann Robinson, 4900 North Lamar Boulevard, Austin, Texas 78751, (512) 483-4353.

Filed: September 6, 1990, 2:12 p.m.

TRD-9009033

Interagency Council on Early Childhood Intervention

Friday, September 21, 1990, 1 p.m. The Interagency Council on Early Childhood Intervention will meet at Room M-652, Texas Department of Health, 1100 West 49th Street, Austin. According to the agenda summary, the council will hear public comments; approve minutes of previous meeting; consider revisions to early childhood intervention law; update on medicaid issues.

Contact: Mary Elder, 100 West 49th Street, Austin, Texas 78756, (512) 458-7673.

Filed: September 7, 1990, 4:22 p.m.

TRD-9009166

Texas Education Agency

Friday, September 14, 1990, 8:30 a.m. The Committee on Long-Range Planning of the Texas Education Agency will meet at Room 1-104, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will hear public testimony; expert session on the southwest educational development laboratory and the center for educational technology; approval process for innovative programs established by Senate Bill 1; phase III compensatory education and bilingual/English as a second language evaluation reports; report of results of college admissions testing in Texas for 1988-1989 public high school seniors; dis-

cussion of the long-range plan for public education; preliminary legislative recommendations for the 72nd Texas Legislature.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: September 6, 1990, 4:13 p.m.

TRD-9009061

Friday, September 14, 1990, 8:30 a.m. The Committee on the Permanent School Fund (PSF) of the Texas Education Agency will meet at Room 1-109, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will hear public testimony; recommended PSF investment program for September and the funds available for the program; proposed new Chapter 33, Investment Program of the Permanent School Fund; appointments to the advisory committee on the permanent school fund; report of the chief investment officer; preliminary legislative recommendations for the 72nd Texas Legislature.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: September 6, 1990, 4:14 p.m.

TRD-9009062

Friday, September 14, 1990, 10:30 a.m. The Committee of the Whole of the Texas Education Agency will meet at Room 1-104, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will hear public testimony; business/education coalition; retirement of current commissioner of education and discussion of process for selection of future commissioner; proposed repeal of: 19 TAC Chapter 29, General Provisions; Chapter 33, State Board of Education; Chapter 41, State Commissioner of Education; Chapter 45, State Department of Education; Chapter 49, Internal Operations; proposed new Chapter 49, Internal Operations, and proposed amendments to Chapter 61, School Districts; sunset review process for state board of education rules; preliminary legislative recommendations for the 72nd Texas Legislature; discussion of research on retention; discussion of pending litigation to be held in executive session in accordance with Article 6252-17, §2(e), Texas Civil Statutes.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: September 6, 1990, 4:13 p.m.

TRD-9009060

Friday, September 14, 1990, 1:30 p.m. The Committee on Personnel of the Texas Education Agency will meet at Room 1-111, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will hear public testimony; public hearing on

program certification requirements for speech/language pathologists; petition on certification standards in speech/language pathology; advanced academic training; certificate issuance procedures; accreditation status; teacher/administration appraisal; alternative certification of administrators; assignment of school personnel; information processing technologies test and passing standards*; alternative teacher certification; Texas master teacher examination/passing standards*; master teacher program; level four entry on career ladder; accreditation of school districts; Fort Sam Houston IDS trustees; legislative recommendations to 72nd Texas Legislature; academic excellence indicators; waivers and exemptions; information requirements on classroom teachers. *As necessary, discussion of individual assessment instruments/assessment instrument items is confidential and will be held in executive session per Texas Attorney General Opinions H-484 (1974) and H-780 (1976).

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: September 6, 1990, 4:15 p.m.

TRD-9009063

Friday, September 14, 1990, 1:30 p.m. The Committee on Students of the Texas Education Agency will meet at Room 1-104, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will hear public testimony; age-ranges for student eligibility; curriculum; remedial/compensatory instruction; equivalency examination pilot program; free attendance in general; state plan for gifted/talented; proclamation advisory committees; Texas assessment of academic skills program for 1992 and 1993 and plans to adopt a non-referenced test; report on services for the deaf and the visually handicapped in Texas; report on task force on restructuring science education; preliminary legislative recommendations for submission to the 72nd Texas Legislature; waivers and exemptions.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: September 6, 1990, 4:15 p.m.

TRD-9009064

Friday, September 14, 1990, 1:30 p.m. The Committee on School Finance of the Texas Education Agency will meet at Room 1-109, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will hear public testimony; year-round schools; state textbook program; depository status; proprietary schools; attendance accounting; years of service for salary increment purposes; textbook subject area committees; state plan for vocational/technical education and 1990-1991 proposed schedule for annual update; apprenticeship and training

committee; delegation of signature authority for letters or justification; 1990-1991 annual and 1992-1993 biennial operating budget for TEA; 1990-1991 annual and 1992-1993 biennial program budget request; facilities funding recommendations; legislative recommendations for state health insurance plan for public school employees; preliminary legislation recommendations for 72nd Texas Legislature; waivers and exemptions.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: September 6, 1990, 4:16 p.m.

TRD-9009065

Saturday, September 15, 1990, 8:30 a.m. The State Board of Education of the Texas Education Agency will meet at Room 1-104, William B. Travis Building, 1701 North Congress Avenue, Austin. According to the agenda summary, the committee will hear public testimony; SBOE resolutions; 1989-1990 Secretary's Initiative; review of rules on: General Provisions, SBOE commissioner of education, state department of education, internal operations, school districts, innovative programs, permanent school fund (PSF); investment program-PSF; advanced academic training; certificate issuance procedures; accreditation; teacher appraisal; administrator appraisal; alternative certification of administrators/teachers; assignment of school personnel; examination for certification of educators in Texas information processing technologies test/passing standards; master teacher examination/passing standards; age-ranges for student eligibility; curriculum; remedial/compensatory instruction; equivalency examination; free attendance; state plan for gifted/talented; year-round schools; textbook program; depository status; proprietary schools; attendance accounting; years of service; textbook subject area/proclamation committees; vocational/technical education; work force planning; apprenticeship training; signature authority; 1992-1993 biennial operating/program budget; information on agency administration.

Contact: W. N. Kirby, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-8985.

Filed: September 6, 1990, 4:17 p.m.

TRD-9009066

Texas Employment Commission

Tuesday, September 18, 1990, 8:30 a.m. The Texas Employment Commission will meet at the Texas Employment Commission Building, 101 East 15th Street, Room 644, Austin. According to the agenda summary, the commission will review prior meeting notes; executive session to consider State of Texas versus Contract Talents, Incorporated; action, if any, resulting from executive

session; consideration of proposed amendment to 40 TAC §301.22 to facilitate the filing of unemployment benefit claims in certain emergency situations; lease-purchase buyout, Bay City office; funding and base staff outlook for FY 1990 and Federal FY 1990; internal procedures of commission appeals; consideration and action on tax liability cases and higher level appeals in unemployment compensation cases listed on Commission Docket 38; and set date of next meeting.

Contact: C. Ed Davis, 101 East 15th Street, Austin, Texas 78778, (512) 463-2291.

Filed: September 10, 1990, 4:15 p.m.

TRD-9009220

Friday, September 28, 1990, 9 a.m. The Advisory Council of the Texas Employment Commission will meet at the Texas Employment Commission Building, 101 East 15th Street, Room 644, Austin. According to the agenda summary, the commission will approve prior meeting notes; discuss TEC operating budget and potential sequester; trust fund update and discussion of tax credit and advanced interest fund; proposed legislative program; update on federal legislation; Texas Business Council; Student Teleconference Project; and date of and agenda items for next meeting.

Contact: C. Ed Davis, 101 East 15th Street, Austin, Texas 78778, (512) 463-2291.

Filed: September 10, 1990, 4:14 p.m.

TRD-9009219

Texas Department of Health

Friday, September 14, 1990, 1:30 p.m. The Strategic Planning Workshop of the Texas Board of Health of the Texas Department of Health will meet at the Guest Quarters Suite Hotel, Austin Room, 303 West 15th Street, Austin. According to the agenda summary, the workshop will consider plan development update; programs (environmental and consumer health protection, community and rural health, disease prevention, state health data and policy analysis); work session wrap-up.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: September 6, 1990, 3:57 p.m.

TRD-9009055

Friday, September 14, 1990, 3 p.m. The Budget Committee of the Texas Board of Health of the Texas Department of Health will meet at the Guest Quarters Suite Hotel, Longhorn Room, 303 West 15th Street, Austin. According to the agenda summary, the committee will consider approval to purchase land for uranium mill tailings remedial action project; approval of department of health internal audit policy.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: September 6, 1990, 3:56 p.m.

TRD-9009053

Friday, September 14, 1990, 4:30 p.m. The Environmental Health Committee of the Texas Board of Health of the Texas Department of Health will meet at the Guest Quarters Suite Hotel, Austin Room, 303 West 15th Street, Austin. According to the agenda summary, the committee will consider proposed rules on medical waste transporters; final rules on drinking water standards affecting coliform and surface water treatment plant monitoring; final rules on crab meat; update on department's bureau of solid waste management recycling and waste minimization activities; final rules on hospital licensing standards on special waste from health care related facilities.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: September 6, 1990, 3:57 p.m.

TRD-9009056

Friday, September 14, 1990, 5 p.m. The Emergency and Disaster Committee of the Texas Board of Health of the Texas Department of Health will meet at the Doubletree Hotel, Fifth Floor Board Room, 6505 IH-35 North, Austin. According to the agenda summary, the committee will consider approval of resolution designating EMS week in Texas; proposed repeal of EMS rules on personnel certification and training course standards; proposed rules on disciplinary action on EMS providers; proposed EMS rules on minimum standards for automated defibrillator course standards and certification and recertification of EMS personnel; status report on EMS trauma advisory committee; EMS legislation; appointment of emergency medical technician member and ex-officio member to hospital patient transfer advisory committee.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: September 6, 1990, 3:56 p.m.

TRD-9009054

Saturday, September 15, 1990, 8 a.m. The Executive Committee of the Texas Board of Health of the Texas Department of Health will meet at the Texas Department of Health 1100 West 49th Street, Room M-749, Austin. According to the complete agenda, the committee will consider procedure items for September 15, 1990 board meeting.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: September 7, 1990, 4:19 p.m.

TRD-9009159

Saturday, September 15, 1990, 8 a.m. The Executive Committee of the Texas Board of Health of the Texas Department of Health will meet at the Texas Department of Health 1100 West 49th Street, Room M-749, Austin. According to the committee will consider final rules (CICD approved providers and facilities; CICD financial eligibility for patient services women, infants and children plan of operations); CICD services bureau monthly fiscal update.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: September 6, 1990, 4:19 p.m.

TRD-9009160

Saturday, September 15, 1990, 8:30 a.m. The Nursing Homes Committee of the Texas Board of Health of the Texas Department of Health will meet at the Texas Department of Health 1100 West 49th Street, Room M-721, Austin. According to the agenda summary, the committee will consider final rules (nurse aides; personal care facilities; long term care); proposed rules on facilities serving mentally retarded citizens; appointments to advisory committees.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: September 6, 1990, 4:20 p.m.

TRD-9009161

Saturday, September 15, 1990, 9:30 a.m. The Alternate Care Committee of the Texas Board of Health of the Texas Department of Health will meet at the Texas Department of Health 1100 West 49th Street, Room M-741, Austin. According to the agenda summary, the committee will consider emergency and proposed rules on home health aides; final rules on vital statistics and medical radiologic technologists.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: September 6, 1990, 4:20 p.m.

TRD-9009162

Saturday, September 15, 1990, 10 a.m. The Personnel Committee of the Texas Board of Health of the Texas Department of Health will meet at the Texas Department of Health 1100 West 49th Street, Room M-721, Austin. According to the agenda summary, the committee will consider appointments to advisory committees (nursing home affairs; mental retardation facilities; respiratory care practitioners; medical radiologic technologists; hospital patient transfers).

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: September 6, 1990, 4:21 p.m.

TRD-9009163

Saturday, September 15, 1990, 10:30 a.m. The Hospitals Committee of the Texas Board of Health of the Texas Department of Health will meet at the Texas Department of Health 1100 West 49th Street, Room M-741, Austin. According to the agenda summary, the committee will consider proposed rules on hospital licensing standards; appointments to hospital patient transfer advisory committee.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: September 6, 1990, 4:21 p.m.

TRD-9009164

Saturday, September 15, 1990, 11 a.m. The Disease Control Committee of the Texas Board of Health of the Texas Department of Health will meet at the Texas Department of Health 1100 West 49th Street, Room M-741, Austin. According to the agenda summary, the committee will consider proposed rules on HIV medication program; final rule on vital statistics.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: September 6, 1990, 4:21 p.m.

TRD-9009165

Saturday, September 15, 1990, 11:30 a.m. The Texas Board of Health of the Texas Department of Health will meet at the Texas Department of Health 1100 West 49th Street, Room M-739, Austin. According to the agenda summary, the board will approve minutes of previous meetings; resolution; hear commissioner's report and AIDS update; consider emergency rules on home health aides; proposed rules (home health aides; HIV medication program; emergency medical services; medical waste transporters; hospital licensing standards; final rules (vital statistics; medical radiologic technologists; chronically ill and disabled children's services; women, infants and children plan of operations; drinking water standards; crab meat; nurse aides; personal care facilities; long term care); committee reports and appointments; purchase of land for uranium mill tailings remedial action project; department internal audit policy; signature authorizations for the Texas Department of Health, the South Texas Hospital, and the San Antonio State Chest Hospital; announcements; set next meeting date.

Contact: Kris Lloyd, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7484.

Filed: September 6, 1990, 4:18 p.m.

TRD-9009158

Friday, September 28, 1990, 10 a.m. The Poison Control Coordinating Committee of the Texas Department of Health will meet at the Texas Department of Health 1100 West 49th Street, Room G-107, Austin. Accord-

ing to the agenda summary, the committee will approve minutes of previous meeting; consider report of status of legislative budget board decision; boundaries of poison control centers from perspective of Texas A&M; training for program specialists; other business not requiring committee action.

Contact: Gene Weatherall, 1100 West 49th Street, Austin, Texas 78756, (512) 458-7550.

Filed: September 6, 1990, 10:37 a.m.

TRD-9009010

Texas High-Speed Rail Authority

Tuesday, September 18, 1990, 10:30 a.m. The Board of Directors of the Texas High-Speed Rail Authority will meet at the 15th Floor Conference Room, 823 Congress Avenue, Suite 1502, Austin. According to the agenda summary, the board will approve for publication request for proposals to construct, maintain, and finance a high-speed rail facility in Texas, proposed criteria for selection and weights.

Contact: Steven Polunsky, 823 Congress Avenue, Suite 1502, Austin, Texas 78701, (512) 478-5484.

Filed: September 7, 1990, 10:39 a.m.

TRD-9009088

Texas Higher Education Coordinating Board

Thursday, September 20, 1990, 9:30 a.m. The Texas Higher Education Coordinating Board will meet at the Chevy Chase Office Complex, Building 1, Room 1.100, 7700 Chevy Chase Drive, Austin. According to the complete agenda, the long range planning committee will discuss matters relating to the master plan for higher education.

Contact: Kenneth H. Ashworth, P.O. Box 12788, Austin, Texas 78711, (512) 483-6100.

Filed: September 10, 1990, 9:53 a.m.

TRD-9009180

University of Houston

Monday, September 17, 1990, 2 p.m. The Animal Care Committee of the University of Houston will meet at the University of Houston, S&R II, Room 201, 4800 Calhoun Boulevard, Houston. According to the agenda summary, the committee will discuss and/or act upon the minutes; research protocols; search for new animal care directors; and per diem rates.

Contact: Julie T. Norris, 4800 Calhoun

Boulevard, Houston, Texas 77204, (713) 749-3412.

Filed: September 11, 1990, 9:46 a.m.

TRD-9009243

Texas Department of Human Services

Friday, September 14, 1990, 8 a.m. The Board of Human Services of the Texas Department of Human Services will meet at the Holiday Inn, Beaumont Plaza, 3950 I-10 at Walden Road, Beaumont. According to the agenda summary, the board will approve the minutes of August 2, 1990; reimbursement methodology for 24-hour child care facility program; rates for nursing facilities; long term care nursing facilities requirements rates for ICF-MR; rates for the 1915(c) medicaid waiver program and OBRA waiver program; reimbursement rates for case management for individuals who are mentally retarded; ICF-MR reimbursement methodology; medicaid reimbursement for school health and related services; rate for early childhood intervention; medically dependent children; DAHS services; CPS foster care rate; food stamp employment and child care eligibility; children's trust fund; delegation to appoint director of internal audit; commissioner's report; closed executive session with its attorney concerning potential litigation and negotiations with USDL regarding compliance with the Fair Labor Standards Act; board will reconvene into open session to receive public testimony on FY 1992-1993 LAR.

Contact: Bill Woods, P.O. Box 1499030, Austin, Texas 78714-9030, (512) 450-3047.

Filed: September 6, 1990, 3:02 p.m.

TRD-9009038

Tuesday-Wednesday, September 18-19, 1990, 9 a.m. and 1 p.m. respectively. The Advisory Committee on Child Care Administrators and Facilities of the Texas Department of Human Services will meet at 701 West 51st Street, Third Floor, West Tower, Conference Room 3W, Austin. According to the complete agenda, the committee will meet Tuesday for orientation of new members; Wednesday for approval of minutes; hear director's report; subcommittee meetings; election of officers; and planning for FY 1991.

Contact: Doug Sanders, P.O. Box 149030, Austin, Texas 78714-9030, (512) 450-3253.

Filed: September 10, 1990, 4:25 p.m.

TRD-9009223

State Board of Insurance

Tuesday, September 18, 1990, 1:30 p.m. The Commissioner's Hearing Section of the

State Board of Insurance will meet at 1110 San Jacinto Street, Room 353, Austin. According to the complete agenda, the section will conduct a public hearing to consider whether disciplinary action should be taken against James William Gleen, Jasper, who holds a Group I, Legal Reserve Life Insurance Agent's license and a Local Recording Agents's license. Docket Number 10954.

Contact: Will McCann, 1110 San Jacinto Street, Austin, Texas 78701-1998, (512) 463-6526.

Filed: September 10, 1990, 4:32 p.m.

TRD-9009226

Texas Commission on Jail Standards

Wednesday, September 26, 1990, 9 a.m. The Texas Commission on Jail Standards will meet at the Employees Retirement Building, Room 100, 18th and Brazos, Austin. According to the agenda summary, the commission will have roll call of members; reading and approval of minutes of July 25, 1990 meeting; old business: Bowie County, Camp County, Hardin County, Tarrant County, Zavala County, Anthony City, change to standards, privately operated municipal facilities, management and program development, licensing of control room jailers, utilization of control room person in guard to inmate ratio, sunset commission, HIV/AIDS resource guide, control of communicable diseases, completed jail projects, jail population report, and active remedial orders. New business: Bexar County, Cass County, Franklin County, Moore County, Starr County, Uvalde County, standards affecting low risk lock up, change to standards, attorney general opinions, and American Correctional Health Services Association application for variances for Harris and Travis County directors report, other business, and executive session.

Contact: Jack E. Crump, P.O. Box 12985, Austin, Texas 78711, (512) 463-5505.

Filed: September 10, 1990, 2:25 p.m.

TRD-9009215

Lamar University System

Thursday, September 13, 1990, 2 p.m. The Liaison Committee of the Lamar University System Board of Regents met at Plummer Administration Building, Room 102, 4400 Martin Luther King Parkway, Beaumont. According to the complete agenda, the committee discussed chairman's remarks; the Lamar budget: source of funds, budgeting process, and questions and answers; and open forum.

Contact: George McLaughlin, Lamar University System, P.O. Box 11900, Beaumont, Texas 77710, (409) 880-2304.

Filed: September 7, 1990, 2:02 p.m.

TRD-9009113

Legislative Education Board

Tuesday, September 18, 1990, 10 a.m. The Advisory Panel on the Cost-of-Education Index of the Legislative Education Board will meet at the Lieutenant Governor's Committee Room (Room 220), State Capitol Building, Austin. According to the complete agenda, the panel will discuss the role of the advisory panel under Senate Bill 1; presentation and discussion of consultant's preliminary report on the cost-of-education index; hear public testimony; and other business.

Contact: Dan Casey, Room 432, John H. Reagan Building, Austin, Texas 78711, (512) 463-1146.

Filed: September 10, 1990, 4:42 p.m.

TRD-9009227

Texas Council on Offenders with Mental Impairments

Friday, September 21, 1990, 10 a.m. The Texas Council on Offenders with Mental Impairments will meet at the Texas Juvenile Probation Commission, 2015 South IH-35, Austin. According to the agenda summary, the council will review and approve the minutes from previous meeting; hear a report from Harris County Pilot Project (Project ACTION); review By-Laws revisions; discuss Legislative Appropriations request; hear committee reports; executive director's report; and discuss old and new business.

Contact: Dee Kifowit, P.O. Box 12546, Austin, Texas 78711, (512) 459-2720.

Filed: September 11, 1990, 9:37 a.m.

TRD-9009240

Wednesday, September 26, 1990, 9 a.m. The MR/DD Committee of the Texas Council on Offenders with Mental Impairments will meet at the Texas Department of Criminal Justice-Parole Division, 8610 Shoal Creek Boulevard, Austin. According to the agenda summary, the committee will review the MR/DD Committee expectations; schedule future committee meetings, and discuss old and new business.

Contact: Dee Kifowit, P.O. Box 12546, Austin, Texas 78711, (512) 459-2720.

Filed: September 11, 1990, 9:37 a.m.

TRD-9009241

The Texas Department of Mental Health and Mental Retardation

Thursday, September 20, 1990, 10 a.m. The Planning and Policy Development Committee of the Texas Department of Mental Health and Mental Retardation will meet at the San Antonio State School, 6711 South New Braunfels (Pavilion), San Antonio. According to the complete agenda, the committee will consider appointments of new members to citizens' planning advisory committee; consideration of approval of construction of a volunteer center/client library on the campus of the El Paso state center; consideration of approval of construction of a chapel/multi-purpose building on the campus of the Fort Worth state school; consideration of recommendations form operation renew; proposed legislation initiatives for 72nd session; status report on Public Law 99-660: Community Mental Health Services Plan.

If deaf interpreters required, notify TDMHMR, (512) 465-4585, Ernest Fuentes, 72 hours prior to the meeting.

Contact: Dennis R. Jones, 909 West 45th Street, Austin, Texas 78756, (512) 454-3761.

Filed: September 6, 1990, 4:43 p.m.

TRD-9009071

Thursday, September 20, 1990, 11 a.m. The Human Resources Committee of the Texas Department of Mental Health and Mental Retardation will meet at the San Antonio State School, 6711 South New Braunfels (Pavilion), San Antonio. According to the complete agenda, the committee will consider appointments to the medical advisory committee; nurse recruitment and retention survey; consideration of approval of appointment of the deputy commissioner for human resources; reorganization of the department as it impacts the volunteer and customer services department.

If deaf interpreters required, notify TDMHMR, (512) 465-4585, Ernest Fuentes, 72 hours prior to the meeting.

Contact: Dennis R. Jones, 909 West 45th Street, Austin, Texas 78756, (512) 454-3761.

Filed: September 6, 1990, 4:42 p.m.

TRD-9009068

Thursday, September 20, 1990, 12:30 p.m. The Audit Committee of the Texas Department of Mental Health and Mental Retardation will meet at the San Antonio State School, 6711 South New Braunfels (Pavilion), San Antonio. According to the complete agenda, the committee will consider the third quarter report and the internal audit act.

If deaf interpreters required, notify TDMHMR, (512) 465-4585, Ernest Fuentes, 72 hours prior to the meeting.

Contact: Dennis R. Jones, 909 West 45th Street, Austin, Texas 78756, (512) 454-3761.

Filed: September 6, 1990, 4:43 p.m.

TRD-9009072

Thursday, September 20, 1990, 1 p.m. The Business and Asset Management Committee of the Texas Department of Mental Health and Mental Retardation will meet at the San Antonio State School, 6711 South New Braunfels (Pavilion), San Antonio. According to the complete agenda, the committee will consider the budget of the internal audit department; selection of architects and engineers for TDMHMR construction projects; FY 1991 operating budget adjustments; consideration of rescission of 90 day moratorium on consideration of the West 38th Street PUD lease; consideration of approval of the West 38th Street PUD lease; consideration of approval of an amendment to the West 38th Street PUD lease; consideration of an assignment of the West 38th Street PUD lease; consideration of a ground lease of surplus property at the Waco center for youth.

If deaf interpreters required, notify TDMHMR, (512) 465-4585, Ernest Fuentes, 72 hours prior to the meeting.

Contact: Dennis R. Jones, 909 West 45th Street, Austin, Texas 78756, (512) 454-3761.

Filed: September 6, 1990, 4:43 p.m.

TRD-9009069

Friday, September 21, 1990, 10 a.m. The Board of the Texas Department of Mental Health and Mental Retardation will meet at the San Antonio State School, 6711 South New Braunfels (Pavilion), San Antonio. According to the agenda summary, the board will hear citizens' comments (limited to three minutes); and other issues to be considered.

If deaf interpreters required, notify TDMHMR, (512) 465-4585, Ernest Fuentes, 72 hours prior to the meeting.

Contact: Dennis R. Jones, 909 West 45th Street, Austin, Texas 78756, (512) 454-3761.

Filed: September 6, 1990, 4:43 p.m.

TRD-9009070

Board of Nurse Examiners

Tuesday-Thursday, September 25-27, 1990, 8 a.m. The Board of Nurse Examiners will meet at the Radisson Plaza Hotel, 700 San Jacinto, Austin. According to the complete revised agenda, under 3.3 reinstatement hearings, the name of James A Snow, TX #2-41896 should be moved to 7. old business and listed as 7.7. James A Snow, TX #2-41896.

Contact: Louise Waddill, Box 140466, Austin, Texas 78714, (512) 835-8650.

Filed: September 10, 1990, 2:09 a.m.

TRD-9009212

Tuesday, September 25, 1990, 8 a.m. or upon adjournment of Operations Committee The Operations Committee of the Board of Nurse Examiners will meet at the Radisson Plaza Hotel at Austin Centre, 700 San Jacinto Boulevard, Austin. According to the complete agenda, the committee will receive the minutes of the July 23, 1990 meeting; financial reports for July and August 1990 and an update to the LAR.

Contact: Louise Waddill, Box 140466, Austin, Texas 78714, (512) 835-8650.

Filed: September 6, 1990, 10:39 a.m.

TRD-9009012

Tuesday, September 25, 1990, 8:30 a.m. or upon adjournment Practice Committee The Practice Committee of the Board of Nurse Examiners will meet at the Radisson Plaza Hotel at Austin Centre, 700 San Jacinto Boulevard, Austin. According to the agenda summary the committee will meet to receive the minutes of July 24, 1990 meeting; receive reports on the task force on foreign nurse graduates; continuing education advisory committee; prescription drug orders; speaking tour of Texas and an update on ANPs approved and third party reimbursement for ANPs.

Contact: Louise Waddill, Box 140466, Austin, Texas 78714, (512) 835-8650.

Filed: September 6, 1990, 10:39 a.m.

TRD-9009013

Tuesday, September 25, 1990, 10 a.m. The Education Committee of the Board of Nurse Examiners will meet at the Radisson Plaza Hotel at Austin Centre, 700 San Jacinto Boulevard, Austin. According to the agenda summary the committee will receive minutes from the July 24, 1990 meeting; receive survey reports on articulation problems among nursing students and survey visit analysis; consider four faculty petition requests and review guidelines for evaluating faculty petitions.

Contact: Louise Waddill, Box 140466, Austin, Texas 78714, (512) 835-8650.

Filed: September 6, 1990, 10:40 a.m.

TRD-9009014

Tuesday-Thursday, September 25-27, 1990, 11 a.m. or upon adjournment of Education Committee The Board of Nurse Examiners will meet at the Radisson Plaza Hotel at Austin Centre, 700 San Jacinto Boulevard, Austin. According to the agenda summary the board will consider the minutes of the July 24-26, 1990 meeting; hold an open forum on September 25, 1990 at 10 p.m. to receive input from interested persons; consider possible action on disciplinary hearings and other action as recom-

mended by the executive director in relation to hearings and consider seven reinstatement requests. The board will receive reports from various committees; consider the adoption of four proposed rule changes; hold election of officers; and meet in executive session.

Contact: Louise Waddill, Box 140466, Austin, Texas 78714, (512) 835-8650.

Filed: September 6, 1990, 10:42 a.m.

TRD-9009015

Texas State Board of Pharmacy

Monday, September 17, 1990, 10 a.m. The Texas State Board of Pharmacy will meet at 700 San Antonio, Austin. According to the complete agenda, the board will conduct a hearing to consider the motion for continuance in the matter of the Texas State Board of Pharmacy vs. Felix U. Egwauagu.

Contact: Fred S. Brinkley, Jr., 8505 Cross Park Drive, #110, Austin, Texas 78754, (512) 832-0661.

Filed: September 6, 1990, 10:57 a.m.

TRD-9009016

Tuesday-Thursday, September 18-20, 1990 9 a.m. The Texas State Board of Pharmacy will meet at the Red Lion Austin Airport Hotel, 6121 IH-35 North, Austin. According to the agenda summary, the board will hear testimony and review alleged violations of those laws which persons are subject to administration sanctions and what sanctions to take. The board will commence in open session to consider: approval of minutes of May 15 and 16, 1990, and June 14, 1990; introduction of TSBP legal counsel and presentation of TIPC awards to TSBP employees; consider proposed rules 295.1 and 295.5; consider rules for adoption 281.24 and 281.24(28); hear reports on FY 1990 budget expenditures and status of FY 1992-1993 budget request; hear reports and discuss issues for the 72nd legislative session re: mail order pharmacies and amendments to the Texas Pharmacy Act; hear reports and discuss request by Wesley Hardin, R.Ph, Texas Pharmacy Congress meeting and mission statement for Texas Pharmacy, TSBP-TPA-TSHP joint meeting re: TSBP strategic plan, TSBP acknowledgment letters to physicians, security in pharmacies, transfer of Rx records between pharmacies, liability insurance for employees and public officials, upcoming meetings, and possible location for FY 1991 summer policy meeting; consider proposed agreed board orders; and executive session to discuss pending litigation and personnel matters.

Contact: Fred S. Brinkley, Jr., R.Ph. 8508 Cross Park Drive #110, Austin, Texas 78754, (512) 832-0661.

Filed: September 7, 1990, 11:25 a.m.

TRD-9009104

Texas State Board of Public Accountancy

Tuesday, September 18, 1990, 9 a.m. The Texas State Board of Public Accountancy will meet at 1033 La Posada, Suite 340, Austin. According to the complete agenda, the board will hold a public hearing on complaint number 90-09-01X.

Contact: William Treacy, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, (512) 451-0241.

Filed: September 7, 1990, 2:06 p.m.

TRD-9009118

Wednesday, September 19, 1990, 9 a.m. The Texas State Board of Public Accountancy will meet at 1033 La Posada, Suite 340, Austin. According to the complete agenda, the board will hold a public hearing on complaint number 89-01-05L.

Contact: William Treacy, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, (512) 451-0241.

Filed: September 7, 1990, 2:05 p.m.

TRD-9009116

Thursday, September 20, 1990, 10 a.m. The Texas State Board of Public Accountancy will meet at 1033 La Posada, Suite 340, Austin. According to the complete agenda, the board will hold informal conferences on complaint numbers 90-05-10L and 89-04-07L.

Contact: William Treacy, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, (512) 451-0241.

Filed: September 7, 1990, 2:06 p.m.

TRD-9009119

Tuesday, September 25, 1990, 9 a.m. The Texas State Board of Public Accountancy will meet at 1033 La Posada, Suite 340, Austin. According to the complete agenda, the board will hold a public hearing on complaint number 89-12-19L.

Contact: William Treacy, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, (512) 451-0241.

Filed: September 7, 1990, 2:06 p.m.

TRD-9009117

Friday, September 28, 1990, 11 a.m. The Texas State Board of Public Accountancy will meet at 1033 La Posada, Suite 340, Austin. According to the complete agenda, the board will hold informal conferences on complaint numbers 90-04-01L; 90-04-02L; and 90-02-07L.

Contact: William Treacy, 1033 La Posada, Suite 340, Austin, Texas 78752-3892, (512) 451-0241.

Filed: September 7, 1990, 2:07 p.m.

TRD-9009120

◆ ◆ ◆
Public Utility Commission of Texas

Monday, September 17, 1990, 9 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450N, Austin. According to the complete agenda, the division will hold a prehearing conference on Docket Number 9692: application of Southwestern Bell Telephone Company to provide for a new c.o. lan service for the city of Midland.

Contact: Mary Ross McDonald, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: September 6, 1990, 3:06 p.m.

TRD-9009043

Monday, September 17, 1990, 9 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450N, Austin. According to the complete agenda, the division will hold a prehearing conference on Docket Number 8702: application of Gulf States Utilities Company for authority to change rates.

Contact: Mary Ross McDonald, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: September 6, 1990, 3:05 p.m.

TRD-9009040

Tuesday, September 18, 1990, 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450N, Austin. According to the complete agenda, the division will hold a prehearing conference on Docket Number 9685: application of Sabine River Authority for approval of amendments to power sales agreement.

Contact: Mary Ross McDonald, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: September 6, 1990, 3:06 p.m.

TRD-9009042

Tuesday, September 18, 1990, 1:30 p.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450N, Austin. According to the complete agenda, the division will hold a prehearing conference on Docket Number 9693: application of GTE Southwest, Inc. to establish 900 call restriction as an offering for residence and business single party local exchange customers.

Contact: Mary Ross McDonald, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: September 6, 1990, 3:05 p.m.

TRD-9009041

Tuesday, October 9, 1990, 10 a.m. The Hearings Division of the Public Utility Commission of Texas will meet at 7800 Shoal Creek Boulevard, Suite 450N, Austin. According to the complete agenda, the division will hold a prehearing conference on Docket Number 8702: application of Gulf States Utilities Company for authority to change rates.

Contact: Mary Ross McDonald, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: September 6, 1990, 3:04 p.m.

TRD-9009039

◆ ◆ ◆
State Purchasing and General Services Commission

Tuesday, September 18, 1990, 9 a.m. The State Purchasing and General Services Commission will meet at the Central Services Building, 1711 San Jacinto Street, Conference Room 402, Austin. According to the complete agenda, the commission will review and discuss the monthly 3.09 report; monthly construction project report; monthly operating budget report, monthly division activity report; executive session to consider the status of the potential purchase of real property pursuant to the provisions of Texas Civil Statutes, Article 60lb, executive session to receive a report from counsel concerning the status of all pending litigation.

Contact: John R. Neel, 1711 San Jacinto Street, Austin, Texas 78701, (512) 463-3446.

Filed: September 10, 1990, 4:30 p.m.

TRD-9009224

Wednesday, September 19, 1990, 9 a.m. The State Purchasing and General Services Commission will meet at the Central Services Building, 1711 San Jacinto Street, Conference Room 402, Austin. According to the complete agenda, the commission will meet in executive session to receive a report concerning the results of a recent personnel investigation, and a discussion about potential actions to be taken regarding the matter.

Contact: John R. Neel, 1711 San Jacinto Street, Austin, Texas 78711, (512) 463-3446.

Filed: September 10, 1990, 4:30 p.m.

TRD-9009225

◆ ◆ ◆
Texas Racing Commission

Wednesday, September 12, 1990, 10 a.m. The Texas Racing Commission will meet at the John H. Reagan Building, Room 101, 1500 North Congress Avenue, Austin. According to the emergency revised agenda

summary, the commission will consider and vote on Lone Star Greyhound Park, Inc.'s appeal of the examiner's order. The commission will not consider or vote to delegate to the executive secretary the authority to approve transfers of ownership in race-tracks of less than 5%. The emergency status was necessary to ensure all appeals before the commission are adjudicated in accordance with the rules.

Contact: Paula Cochran Carter, P.O. Box 12080, Austin, Texas 78711, (512) 476-7223.

Filed: September 10, 1990, 3:46 p.m.

TRD-9008218

◆ ◆ ◆
Railroad Commission of Texas

Monday, September 10, 1990, 9 a.m. The Railroad Commission of Texas met at the William B. Travis Building, 1701 North Congress Avenue, 12th Floor Conference Room 12-126, Austin. According to the complete emergency revised agenda, the commission considered whether to use state funds to plug a leaking well: unidentified operator, C. B. Snyder Lease, Well Number "A", unknown field, Shackelford County. The emergency status was necessary because the well is an open hole, leaking 9-10 barrels of saltwater per day causing imminent threat to the public's health and safety.

Contact: Kinder Chambers, P.O. Box 12967, Austin, Texas 78711, (512) 463-6830.

Filed: September 7, 1990, 11:03 a.m.

TRD-9009101

Monday, September 10, 1990, 9 a.m. The Railroad Commission of Texas met at the William B. Travis Building, 1701 North Congress Avenue, 12th Floor Conference Room 12-126, Austin. According to the complete emergency revised agenda, the commission considered transportation docket numbers 029546ZZT and 029547ZZT; considered whether the commission should enter interim orders authorizing and establishing of fuel adjustments in Railroad Commission tariffs S & G MCA tariff-X and tariff 15 Series Sand and Gravel Motor Carriers association, Inc and Morgan Drive Away Incorporated. The emergency status was necessary because an urgent public necessity exists due to the recent dramatic fuel cost increases experienced by the motor carriers. Such a reasonably unforeseeable situation requires immediate action by the commission.

Contact: Harold Bartz, P.O. Box 12967, Austin, Texas 78711, (512) 463-7104.

Filed: September 7, 1990, 11:03 a.m.

TRD-9009102

Monday, September 17, 1990, 1:30 p.m. The Railroad Commission of Texas will meet at the William B. Travis Building, 1701 North Congress Avenue, 12th Floor Conference Room, Austin. According to the complete agenda, the commission will consider for oral argument docket number 032549F7A, application of Ralph Owens Trucking Company, Incorporated, P.O. Box 1660, Fort Worth, Texas 76101, to amend SMC certificate number 32549 as more fully set out in notice number 8119.

Contact: Ron Stutes, P.O. Box 12967, Austin, Texas 78711, (512) 463-7094.

Filed: September 7, 1990, 11:04 a.m.

TRD-9009103

School Land Board

Tuesday, September 18, 1990, 10 a.m. The School Land Board will meet at the General Land Office, Stephen F. Austin Building, 1700 North Congress Avenue, Room 831, Austin. According to the agenda summary, the board will approve minutes of the previous board meeting; discuss pooling agreement applications, Wildcat Field, Brazoria County; Block 519 L. Field, Matagorda County; pooling agreement amendments, Alabama Ferry Unit, Leon County; Conn Brown Harbor Field, Aransas and Nueces County lease suspension application, Harris County; application to lease highway right of way, Frio County; consideration of suspended state leases; Coastal public lands, commercial lease applications, Galveston Bay, Galveston County; Copano Bay, Aransas County; Neches River, Jefferson County; easement application, Clear Lake, Galveston County; consideration of General Land Office Aquaculture leasing guidelines; executive session to consider land trade/acquisition; and pending and proposed litigation.

Contact: Linda K. Fisher, 1700 North Congress Avenue, Room 836, Austin, Texas 78701, (512) 463-5016.

Filed: September 10, 1990, 4:15 p.m.

TRD-9009221

Senate of the State of Texas

Friday, September 28, 1990, 10 a.m. The Select Committee on Legislative Redistricting of the Senate of the State of Texas will meet at the LBJ Auditorium of the LBJ Library, The University of Texas campus, 26th and Red River Streets, Austin. According to the complete agenda, the committee will take written and oral testimony on congressional, legislative, and State Board of Education redistricting, with special emphasis on redistricting in the Austin area and surrounding counties. The hearing is one of a series of joint regional hearings being conducted by the Senate Select Committee

on Legislative Redistricting and the House Redistricting Committee to gather information from around the state to assist the legislature in redistricting after publication of the 1990 census.

Contact: Doris Boedeker, P.O. Box 12128, Austin, Texas 78711, (512) 463-0964.

Filed: September 11, 1990, 8:32 a.m.

TRD-9009237

Friday, September 28, 1990, 2 p.m. The Select Committee on Legislative Redistricting of the Senate of the State of Texas will meet at the LBJ Auditorium of the LBJ Library, The University of Texas campus, 26th and Red River Streets, Austin. According to the complete agenda, the committee will take written and oral testimony on statewide and general redistricting issues concerning the congressional, legislative and State Board of Education redistricting. This hearing is a joint hearing being conducted by the Senate Select Committee on Legislative Redistricting and the House Redistricting Committee to gather information to assist the legislature in redistricting after publication of the 1990 census.

Contact: Doris Boedeker, P.O. Box 12128, Austin, Texas 78711, (512) 463-0964.

Filed: September 11, 1990, 8:31 a.m.

TRD-9009236

Texas Task Force on State and Local Drug Control

Friday, September 21, 1990, 9 a.m. The Joint Select Committee of the Texas Task Force on State and Local Drug Control will meet at the Harvey Hotel, Canadian Room, 3100 West I-40, Amarillo. According to the agenda summary, the committee will focus on panhandle area drug issues and discuss committee final recommendations; hear invited testimony; public testimony; and working session of the committee members.

Contact: Janna Burleson, State Capitol Building, Room G-35-B, Austin, Texas 78701, (512) 463-0838.

Filed: September 10, 1990, 1:43 p.m.

TRD-9009208

University of Texas Health Science Center at San Antonio

Wednesday, September 19, 1990, 3 p.m. The Institutional Animal Care and Use Committee of the University of Texas Health Science Center at San Antonio, will meet at the History of Medicine Conference Room 5.070LIB, 7703 Floyd Curl Drive, San Antonio. According to the agenda summary, the committee will discuss approval of minutes; protocols for review; subcommittee reports and other business.

Contact: Molly Greene, 7703 Floyd Curl Drive, San Antonio, Texas 78284-7722, (512) 567-3717.

Filed: September 10, 1990, 2:33 p.m.

TRD-9009216

Texas Water Commission

Wednesday, September 19, 1990, 9 a.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 118, Austin. According to the agenda summary, the commission will consider various matters within the regulatory jurisdiction of the Texas Water Commission of Texas. In addition, the Texas Water 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 Texas Water Commission may take various actions, including but not limited to scheduling an item in the entirety or for particular action at a future date or time.

Contact: Gloria Barrera, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: September 6, 1990, 3:55 p.m.

TRD-9009052

Wednesday, September 19, 1990, 2 p.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 118, Austin. According to the agenda summary, the commission will consider various matters within the regulatory jurisdiction of the Texas Water Commission of Texas. In addition, the Texas Water 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 Texas Water Commission may take various actions, including but not limited to scheduling an item in the entirety or for particular action at a future date or time.

Contact: Gloria Barrera, P.O. Box 12087, Austin, Texas 78711, (512) 463-7898.

Filed: September 6, 1990, 3:55 p.m.

TRD-9009046

Wednesday, September 19, 1990, 3 p.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 118, Austin. According to the agenda summary, the commission will consider various matters within the regulatory jurisdiction of the Texas Water Commission of Texas. In addition, the Texas Water 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 Texas Water Commission may take various actions, including but not limited to scheduling an item in the entirety or for particular action at a future date or time.

Contact: Gloria Barrera, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: September 6, 1990, 3:59 p.m.

TRD-9009057

Wednesday, September 19, 1990, 3 p.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 118, Austin. According to the revised agenda summary, the commission will consider various matters within the regulatory jurisdiction of the Texas Water Commission of Texas. In addition, the Texas Water 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 Texas Water Commission may take various actions, including but not limited to scheduling an item in the entirety or for particular action at a future date or time.

Contact: Gloria Barrera, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: September 6, 1990, 3:51 p.m.

TRD-9009044

Friday, September 21, 1990, 10 a.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 119, Austin. According to the agenda summary, the commission will conduct a hearing on application to amend water certificate of convenience and necessity of Bethesda Water Supply Corporation, Docket Number 8543-C

Contact: Deborah Parker, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: September 6, 1990, 3:55 p.m.

TRD-9009051

Wednesday, September 26, 1990, 2 p.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 123, Austin. According to the agenda summary, the commission will consider the executive director's report on agency administration, policy, budget procedures, and personnel matters.

Contact: Gloria Barrera, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

TRD-9009045

Filed: September 6, 1990, 3:51 p.m.

Wednesday, September 26, 1990, 3 p.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 118, Austin. According to the agenda summary, the commission will conduct a hearing to determine whether a temporary order should be issued to the city of Austin. The order would authorize the city to avoid operation of the secondary interim sewage treatment facility located at the Walnut Creek wastewater treatment plant, during the months of October and November as required under permit number 10543-11.

Contact: Robert Martinez, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: September 6, 1990, 3:52 p.m.

TRD-9009047

Thursday, September 27, 1990, 10 a.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 119, Austin. According to the agenda summary, the commission will conduct a hearing on rate increase of Country Springs, Limited, doing business as Country Springs Water Company, Docket Number 8525-G.

Contact: Bill Zukauckas, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: September 6, 1990, 3:54 p.m.

TRD-9009050

Friday, October 12, 1990, 10 a.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 512, Austin. According to the agenda summary, the commission will conduct a hearing on rate increase of Stevens Water Company, Docket Number 8467-R.

Contact: Clay Harris, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: September 6, 1990, 3:54 p.m.

TRD-9009049

Wednesday, November 7, 1990, 10 a.m. The Texas Water Commission will meet at the Pecos County Civic Center at the Pecos County Airport, North Highway 285, Fort Stockton. According to the agenda summary, the commission will discuss application by Schlumberger Well Services for a permit (proposed permit number HW-50327, EPA I.D. Number TXD-987988318) to operate a Class I hazardous industrial solid waste processing facility. The facility would be on a 640-acre tract of land owned by the company, located 17 miles northwest of Fort Stockton, Pecos County. This location is in the drainage area of Segment 2311 of the Rio Grande Basin.

Contact: Leslie Limes, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: September 6, 1990, 3:53 p.m.

TRD-9009048

Wednesday, November 28, 1990, 3 p.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 118, Austin. According to the complete agenda, the commission will discuss application by Sam Jarzombek, for an 11:1212 water use permit to divert 100 acre-feet of water from Cibolo Creek, tributary of the San Antonio River, San Antonio River Basis for irrigation of 50 acres in Wilson and Kames Counties south-east of Floresville.

Contact: Lann Bookout, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: September 6, 1990, 4 p.m.

TRD-9009059

Wednesday, November 28, 1990, 3 p.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 118, Austin. According to the complete agenda, the commission will discuss application by Shady Oaks Country Club, Inc., application number 4050A, to amend Permit Number 3782 to authorize an extension of the term of the certificate beyond the current expiration date of December 31, 1990 or to delete the term entirely. The four existing dams and reservoirs are located on Kings Branch and an unnamed tributary of Kings Branch, tributary of Farmers Branch, tributary of West Fork Trinity River, tributary of Trinity River west of Forth Worth, Tarrant County.

Contact: Rick Airey, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: September 6, 1990, 3:37 p.m.

TRD-9009155

Wednesday, November 28, 1990, 3 p.m. The Texas Water Commission will meet at 1700 North Congress Avenue, Stephen F. Austin Building, Room 118, Austin. According to the complete agenda, the commission will discuss application by Bobby W. Straub, application number 12-3551A, to amend certificate of Adj Number 12-3551 to delete or extend the expiration date included in the certificate. The reservoir is located on an unnamed tributary of Sabana River, tributary of Leon River, tributary of Little River, tributary of Brazc River, in Comanche County.

Contact: Terry Slade, P.O. Box 13087, Austin, Texas 78711, (512) 463-7898.

Filed: September 6, 1990, 3:37 p.m.

TRD-9009156

◆ ◆ ◆
Texas Workers' Compensation Commission

Thursday, September 13, 1990, 9 a.m. The Texas Workers' Compensation Commission met at the Bevington A. Reed Building, 200 East Riverside Drive, Second Floor, Room 255, Austin. According to the agenda summary, the commission approved minutes; discussed and considered rules process; discussed and considered rules; chapter 130, benefits/impairment and supplemental income benefits; chapter 133, medical benefits/general provisions; chapter 166, accident prevention services; report on rule chapters ready for release to *Texas Register*; discussed and considered commissioners chosen to serve on the board of directors of the Texas Workers' Compensation Research center; progress report on implementation of senate bill 1; discussed future meetings and agenda.

Contact: George E. Chapman, 200 East Riverside Drive, Austin, Texas 78704, (512) 448-7962.

Filed: September 10, 1990, 8:27 a.m.

TRD-9009167

Regional Meetings

Regional Meetings Filed September 6, 1990

The Bexar Appraisal District Appraisal Review Board will meet at 535 South Main, San Antonio, September 14, 1990, at 9 a.m. Information may be obtained from Walter Stoneham, 535 South Main, San Antonio, Texas 78204, (512) 224-8511. TRD-9009031.

The Canyon Regional Water Authority met at 529 South Center Street, Marion, September 1, 1990 at 7:30 p.m. Information may be obtained from David Davenport, P.O. Box 188, Marion, Texas 70124, (512) 420-2323. TRD-9009073.

The Capital Area Rural Transportation System (CARTS) Executive Committee, Board of Directors, held an emergency meeting at 5111 East First Street, Austin, September 10, 1990, at 2 p.m. The emergency status was necessary because of timely award of bids for purchase of vehicles. Information may be obtained from Dave Marsh, 5111 East First Street, Austin, Texas 78702, (512) 478-7433. TRD-9009021.

The Central Texas Economic Development District Executive Committee met at 3900 Parrish Street, Bellmead, September 13, 1990, 5 p.m. Information may be obtained from Bruce Gaines, P.O. Box 4408 Waco, Texas 76715, (817) 799-0258. TRD-9009023

The Central Texas Economic Development District Board of Directors met at 3900 Parrish Street, Bellmead, September 13, 1990, 7 p.m. Information may be obtained from Bruce Gaines, P.O. Box 4408, Waco, Texas 76715, (817) 799-0258. TRD-9009024.

The East Texas State University Board of Regents will meet at the McDowell Administration Building, East Texas State University, Commerce, September 14, 1990, 9 a.m. Information may be obtained from Charles Turner, East Texas State University, Commerce, Texas 75429, (214) 886-5030. TRD-9009037.

The El Oso Water Supply Corporation Board of Directors met at their office in Kames City, September 11, 1990, at 8 p.m. Information may be obtained from Hilmer Wagener, P.O. Box 309, Kames City, Texas 78118, (512) 780-3539. TRD-9009036.

The Hansford Appraisal District Board met at 709 West Seventh Street, Spearman,

September 12, 1990, 9 a.m. Information may be obtained from Alice Peddy, P.O. Box 567, Spearman, Texas 79081, (806) 659-5575. TRD-9009006.

The Hockley County Appraisal District Board of Directors met at 1103-C Houston Street, Levelland, September 10, 1990, at 7 p.m. Information may be obtained from Nick Williams, P.O. Box 1090, Levelland, Texas 79336, (806) 894-9654. TRD-9009027.

The Lampasas County Appraisal District Board of Directors met at 109 East Fifth, Lampasas, September 12, 1990, at 8:30 a.m. Information may be obtained from Dana Ripley, P.O. Box 175, Lampasas, Texas 76550. TRD-9009067.

The Mason County Appraisal District Board of Directors will meet at 206 Fort McKavitt Street, Mason, September 14, 1990, at 1 p.m. Information may be obtained from Neal Little, P.O. Box 1119, Mason, Texas 76856, (915) 347-5989. TRD-9009029.

The Mason County Appraisal District Board of Directors will meet at 206 Fort McKavitt Street, Mason, September 14, 1990, at 1:30 p.m. Information may be obtained from Neal Little, P.O. Box 1119, Mason, Texas 76856, (915) 347-5989. TRD-9009030.

The Nolan County Central Appraisal District Board of Directors met at the Nolan County Courthouse, Third Floor, Sweetwater, September 11, 1990, at 7 a.m. Information may be obtained from Patricia Davis, P.O. Box 1256, Sweetwater, Texas 79556, (915) 235-8421. TRD-9009026.

The Nolan County Central Appraisal District Board of Directors met at the Nolan County Courthouse, Third Floor, Sweetwater, September 11, 1990, at 8 a.m. Information may be obtained from Patricia Davis, P.O. Box 1256, Sweetwater, Texas 79556, (915) 235-8421. TRD-9009025.

The Region One Education Service Center Board of Directors met at 1900 West Schunior, Edinburg, September 11, 1990, at 6 p.m. Information may be obtained from Lauro R. Guerra, 1900 West Schunior, Edinburg, Texas 78539. (512) 383-6611. TRD-9009022.

The Texas State Soil and Water Conservation Board will meet at 311 North 5th Street, Conference Room, Temple, September 19, 1990, at 8 a.m. Information may be obtained from Robert G. Buckley, P.O. Box 658, Temple, Texas 76503, (817) 773-2250. TRD-9009028.

Meetings Filed September 7, 1990

The Austin Transportation Study Policy Advisory Committee met at the Joe C. Thompson Conference Center, Room 2.102, 26th and Red River, Austin, September 11, 1990, at 6 p.m. Information may be ob-

tained from Joseph P. Gieselman, 811 Barton Springs Road, #700, Austin, Texas 78704, (512) 472-7483. TRD-9009075.

The Brown County Appraisal District Appraisal Review Board will meet at 403 Fisk Avenue, Brownwood, September 17, 1990, at 8:30 a.m. Information may be obtained from Bob Young, 403 Fisk Avenue, Brownwood Texas, 76801, (915) 643-5676. TRD-9009121.

The Dallas Area Rapid Transit Minority Affairs Committee met at 601 Pacific Avenue, Board Room, Dallas, September 11, 1990, at 10 a.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237. TRD-9009076.

The Dallas Area Rapid Transit Business Development Ad Hoc Committee met at 601 Pacific Avenue, Board Room, Dallas, September 11, 1990, at 1 p.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237. TRD-9009078.

The Dallas Area Rapid Transit Mobility Impaired Committee met at 601 Pacific Avenue, Board Room, Dallas, September 11, 1990, at 2:30 p.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237. TRD-9009077.

The Dallas Area Rapid Transit Operations Committee met at 601 Pacific Avenue, Board Room, Dallas, September 11, 1990, at 3:30 p.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6237. TRD-9009079

The Dallas Central Appraisal District Board of Directors met at 1420 West Mockingbird Lane #500, Dallas, September 12, 1990, at noon. Information may be obtained from Rick L. Keuhler, 1420 West Mockingbird Lane, #500, Dallas, Texas 75247, (214) 631-0520. TRD-9009112.

The Fort Bend Parkway Association met at 11111 Brooklet Drive, Suite 100, Houston, September 13, 1990, at 4 p.m. Information may be obtained from Robert R. Randolph, 2801 First City Tower, 1001 Fannin, Houston, Texas 77002-6760, (713) 750-2300. TRD-9009091.

The Gonzales County Appraisal District Board of Directors met at 928 St. Paul Street, Gonzales, September 13, 1990, at 5 p.m. Information may be obtained from Glenda Strackbein, P.O. Box 867, Gonzales, Texas 78629, (512) 672-2879. TRD-9009108.

The Gonzales County Appraisal District Board of Directors met at 928 St. Paul Street, Gonzales, September 13, 1990, at 6 p.m. Information may be obtained from Glenda Strackbein, P.O. Box 867, Gonzales, Texas 78629, (512) 672-2879. TRD-9009107.

The Grand Parkway Association met at 5757 Woodway, 140 East Wing, Houston, September 12, 1990, at 8:15 a.m. Information may be obtained from Larry W. Nettles, 2823 First City Tower, 1001 Fannin, Houston, Texas 77002-6760, (713) 654-4586. TRD-9009092.

The Jack County Appraisal District Board of Directors met at 214-D South Main, Jacksboro, September 11, 1990, at 7 p.m. Information may be obtained from Treva Epperson or Donna E. Hartzell, 216-D South Main, Jacksboro, Texas 76056, (817) 567-6301. TRD-9009080.

The Jack County Appraisal District Board of Directors met at 214-D South Main, Jacksboro, September 11, 1990, at 7 p.m. Information may be obtained from Treva Epperson or Donna E. Hartzell, 216-D South Main, Jacksboro, Texas 76056, (817) 567-6301. TRD-9009080.

The Jack County Appraisal District Board of Directors met at 216-D South Main, Jacksboro, September 11, 1990, at 7:30 p.m. Information may be obtained from Treva Epperson or Donna E. Hartzell, 216-D South Main, Jacksboro, Texas 76056, (817) 567-6301. TRD-9009081.

The Liberty County Central Appraisal District Appraisal Review Board will meet at 315 Main Street, Liberty, September 20, 1990, at 9:30 a.m. Information may be obtained from Sherry Greak, P.O. Box 10016, Liberty, Texas 77575, (409) 336-5722. TRD-9009089.

The Liberty County Central Appraisal District Appraisal Review Board will meet at 315 Main Street, Liberty, September 26, 1990, at 9:30 a.m. Information may be obtained from Sherry Greak, P.O. Box 10016, Liberty, Texas 77575, (409) 336-5722. TRD-9009090.

The Lower Colorado River Authority Finance and Administration/Planning and Public Policy Committees met at 3700 Lake Austin Boulevard, Austin, September 11, 1990, at 11 a.m. Information may be obtained from Glen E. Taylor, P.O. Box 220, 3700 Lake Austin Boulevard, Austin, Texas 78767, (512) 473-3250. TRD-9009084.

The Lubbock Regional MHMR Center Board of Trustees held an emergency meeting at Civic Center Inn, 1202 Main Street, Lubbock, September 10, 1990, at noon. The emergency status was necessary in order to review bids on renovation project. Information may be obtained from Gene Menefee, 1210 Texas Avenue, Lubbock, Texas 79401, (806) 766-0202. TRD-9009157.

The Texas Municipal Power Agency (TMPA) Board of Directors met at Wright Park Community Center, Highway 69 South at FM-1570, Greenville, September 13, 1990, at 10 a.m. Information may be obtained from Carl Shahady, P.O. Box 7000, Bryan, Texas 77805, (409) 873-2013. TRD-9009109.

The Scurry County Appraisal District Board of Directors met at 2612 College Avenue, Snyder, September 11, 1990, at 8 a.m. Information may be obtained from L. R. Peveler, 2612 College Avenue, Snyder, Texas 79549, (915) 573-8549. TRD-9009082.

The South Plains Association of Governments General Assembly met at Lubbock Plaza, 3201 South Loop 289, Lubbock, September 13, 1990, at 6 p.m. Information may be obtained from Jerry D. Casstevens, P.O. Box 3730, Freedom Station, Lubbock, Texas 79452, (806) 762-8721. TRD-9009122.

The Tyler County Appraisal District Board of Directors met at 806 West Bluff, Woodville, September 11, 1990, at 4 p.m. Information may be obtained from Linda Lewis, P.O. Drawer 9, Woodville, Texas 75979, (409) 283-3736. TRD-9009106.

Meetings Filed September 10, 1990

The Comal Appraisal District Board of Directors will meet at 430 West Mill Street, New Braunfels, September 17, 1990, at 7 p.m. Information may be obtained from R. Richard Rhodes, Jr., P.O. Box 311222, New Braunfels, Texas 78131-1222, (512) 625-8597. TRD-9009169.

The Dallas Area Rapid Transit Board of Directors held an emergency meeting at 601 Pacific Avenue, Board Room, Dallas, September 11, 1990, at 6:30 p.m. The emergency status was necessary because it was of utmost importance that the DART Board take immediate action on implementing the DART service plan. Information may be obtained from Mattie Hansen, 601 Pacific Avenue, Dallas, Texas 75202, (214) 658-6456. TRD-9009175.

The Ells County Appraisal District Board of Directors met at 406 Sycamore Street, Waxahachie, September 6, 1990, at 7 p.m. Information may be obtained from Kathy Spencer, P.O. Box 878, Waxahachie, Texas 75165, (214) 937-3552. TRD-9009171.

The Gray County Appraisal District Board of Directors met at 815 North Sumner, Pampa, September 13, 1990, at 5 p.m. Information may be obtained from W. Pat Bagley, P.O. Box 836, Pampa, Texas 79066-0836, (806) 665-0791. TRD-9009222.

The Greater Austin-San Antonio Corridor Council, Inc Executive Committee will meet at Motorola, Inc., Austin, September 14, 1990, at 1:30 p.m. Information may be obtained from Dolores Sullivan, P.O. Box 1618, San Marcos, Texas 78667-1618. TRD-9009213.

The Greater Austin-San Antonio Corridor Council, Inc Board of Directors will meet at Motorola, Inc., Austin, September 14, 1990, at 3 p.m. Information may be obtained from Dolores Sullivan, P.O. Box

1618, San Marcos, Texas 78667-1618. TRD-9009214.

The Hickory Underground Water Conservation District #1 met at 2023 South Bridge Street, Brady, September 13, 1990, at 7 p.m. Information may be obtained from Rick Illgner, P.O. Box 1214, Brady, Texas 76825, (915) 597-2785. TRD-9009170.

The Lamar University System Board of Regents, Telephonic Board met at the John Gray Institute, Office of the Chancellor, 855 Florida, Beaumont, September 13, 1990, at 11 a.m. Information may be obtained from George McLaughlin, P.O. Box 11900, Beaumont, Texas 77710, (409) 880-2304. TRD-9009200.

The Lower Neches Valley Authority Insurance Committee will meet at the LNVA Office Building, 7850 Eastex Freeway, Beaumont, September 13, 1990, at 11 a.m. Information may be obtained from A. T. Hebert, Jr., P.O. Drawer 3464, Beaumont, Texas 77704, (409) 892-4011. TRD-9009195.

The Lower Neches Valley Authority Board of Directors will meet at the LNVA Office Building, 7850 Eastex Freeway, Beaumont, September 18, 1990, at 10:30 a.m. Information may be obtained from A. T. Hebert, Jr., P.O. Drawer 3464, Beaumont, Texas 77704, (409) 892-4011. TRD-9009197.

The Northeast Texas Municipal Water District Board of Directors will meet at Highway 250 South, Hughes Springs, September 17, 1990, at 10 a.m. Information may be obtained from J. W. Dean, Box 955, Hughes Springs, Texas 75656, (214) 639-7538. TRD-9009198.

The Palo Pinto Appraisal District Board of Directors will meet at the Palo Pinto County Courthouse, Palo Pinto, September 19, 1990, at 3 p.m. Information may be obtained from Jack Samford, P.O. Box 250, Palo Pinto, Texas 76072, (817) 659-1234. TRD-9009199.

The Region IV Education Service Center Board of Directors will meet at the Doubletree Hotel, Conference Suite, Fourth Floor, Allen Center, 400 Dallas, Houston, September 21, 1990, at 5:30 p.m. Information may be obtained from W. L. McKinney, 7145 West Tidwell, Houston, Texas 77092, (713) 462-7708.

The Rio Grande Council of Governments Board of Directors will meet at the Santa Teresa Country Club, Santa Teresa, September 19, 1990, at 10 a.m. Information may be obtained from Cecile C. Gamez, 1014, North Stanton, Suite 100, El Paso, Texas 79902, (915) 533-0998. TRD-9009183.

The Rio Grande Council of Governments Full Council will meet at the Santa Teresa Country Club, Santa Teresa, September 19, 1990, at 11:30 a.m. Information may be obtained from Cecile C. Gamez, 1014,

North Stanton, Suite 100, El Paso, Texas 79902, (915) 533-0998. TRD-9009182.

The San Antonio River Industrial Development Authority Board of Directors will meet at SARA General Offices, 100 East Guenther Street, San Antonio, September 19, 1990, at 11 a.m. Information may be obtained from Fred N. Pfeiffer, P.O. Box 830027, San Antonio, Texas 78283-0027, (512) 227-1373. TRD-9009168.

The San Antonio River Industrial Development Authority Board of Directors-Audit Committee will meet at SARA Gen-

eral Offices, 100 East Guenther Street, San Antonio, September 19, 1990, at 1 p.m. Information may be obtained from Fred N. Pfeiffer, P.O. Box 830027, San Antonio, Texas 78283-0027, (512) 227-1373. TRD-9009173.

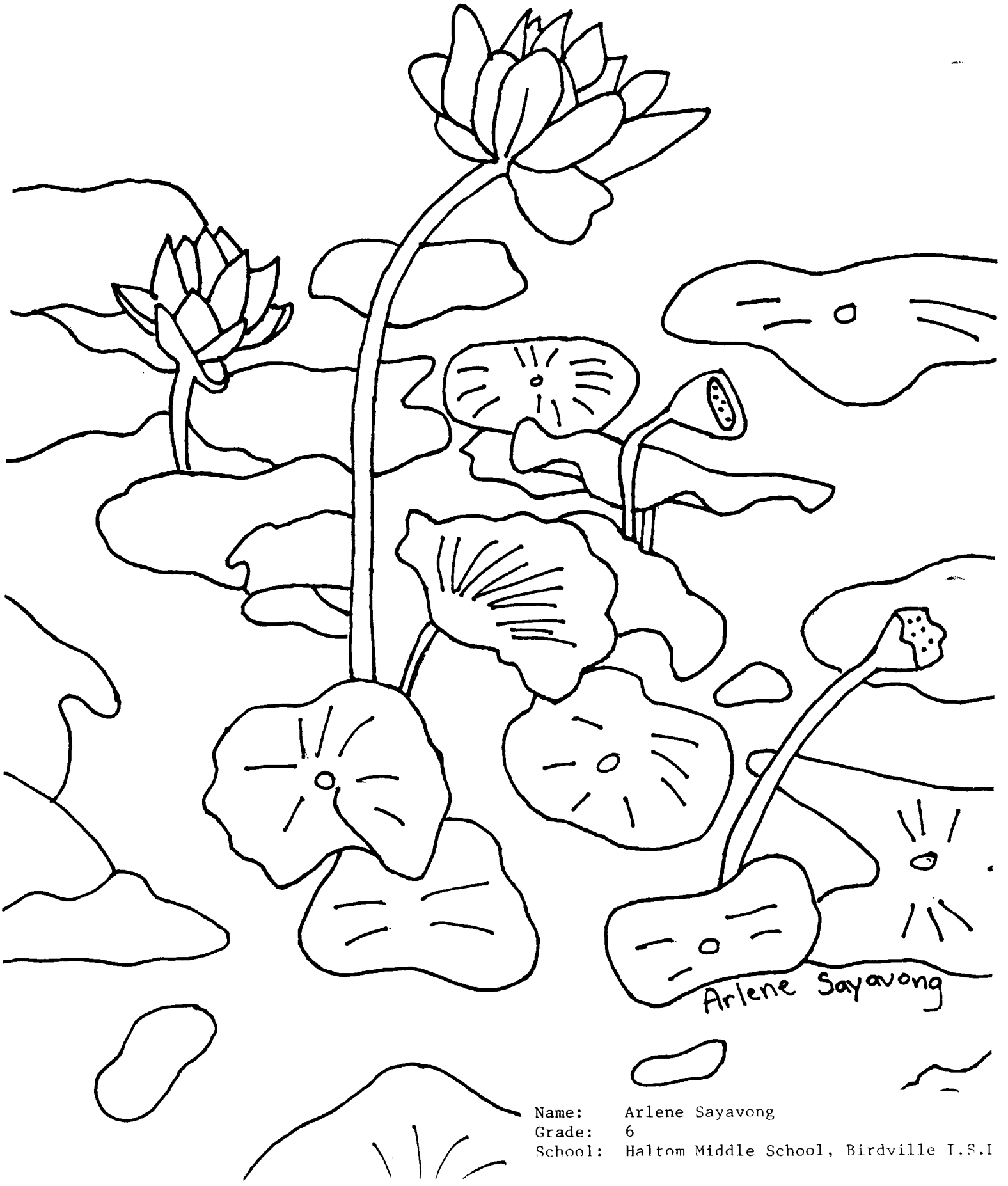
The San Antonio River Industrial Development Authority Board of Directors will meet at SARA General Offices, 100 East Guenther Street, San Antonio, September 19, 1990, at 2 p.m. Information may be obtained from Fred N. Pfeiffer, P.O. Box 830027, San Antonio, Texas 78283-0027, (512) 227-1373. TRD-9009172.



Meetings Filed September 11, 1990

The South Texas Private Industry Council, Inc. will meet at Highway 83 and 10th Street, Zapata, September 20, 1990, at 4 p.m. Information may be obtained from Ruben M. Garcia, P.O. Box 1757, Laredo, Texas 78033-1757, (512) 722-3973.

The West Central Texas Municipal Water District will meet at 401 Cypress Street, Suite 300, Abilene, September 17, 1990, at 9:30 a.m. Information may be obtained from Virginia Duncan, P.O. Box 2362, Abilene, Texas 79604, (915) 673-8254. TRD-9009235.



Name: Arlene Sayavong
Grade: 6
School: Haltom Middle School, Birdville I.S.I

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 Commission on Alcohol and Drug Abuse

Request for Proposals

The Texas Commission on Alcohol and Drug Abuse, under the authority of the Health and Safety Code, Title 6, Subtitle B, Chapter 464, gives notice of a comprehensive alcohol and drug abuse services request for proposals (RFP). The RFP provides an avenue for applicants to request funds to address the alcohol and drug abuse services needs their communities have identified. The commission is soliciting applications for alcohol and drug prevention and intervention activities, and development of alcohol and drug treatment services.

To request a copy of the RFP, call the Funding Processes Section at (512) 867-8700 or Tex-An 243-8700, or write to: Texas Commission on Alcohol and Drug Abuse, Funding Processes Section, 720 Brazos Street, Suite 403, Austin, Texas 78701.

The closing date for receipt of applications by the commission is 5 p.m. on February 15, 1991. Approved programs will be funded for the period September 1, 1991-August 31, 1992.

The amount of funds that will be available for the award period is not known at the time the RFP is released. When funds become available, an announcement will be mailed to those organizations that have submitted applications during the cycle. The Texas Commission on Alcohol and Drug Abuse announcement will specify the amount of funds available and any special restrictions on the use of the funds.

Eligible applicants are public entities or private nonprofit corporations.

Workshop will be held in six locations in the state between October 22, 1990, and November 9, 1990. The specific times and locations for the workshops will be in the RFP.

Issued in Austin, Texas, on September 5, 1990.

TRD-9009085 Bob Dickson
Executive Director
Texas Commission on Alcohol and Drug Abuse

Filed: September 7, 1990

For further information, please call (512) 867-8700

State Banking Board

Notice of Hearing

The hearing previously scheduled for Tuesday, September 18, 1990, for the change of domicile application by the Founders Trust company, Dennison, has been cancelled.

Issued in Austin, Texas, on September 5, 1990.

TRD-9009035 William F. Aldridge
Director of Corporate Activities
Texas Department of Banking

Filed: September 6, 1990

For further information, please call: (512) 479-1200

Texas Department of Banking

Correction of Error

The Texas Department of Banking submitted proposed new sections which contained errors as submitted by the department and as published in the July 17, 1990, issue of the *Texas Register* (15 TexReg 4072).

In §11.63, there should be no comma after the cite for "United States Codes".

In §11.63 the cross reference to §11.64 and §11.65 should read "(relating to Retention of Records of Commercial Banks and Bank Trust Departments and Trust Company Records)".

In §11.64, the section heading should read "Retention of Records of Commercial Banks."

In §11.65, on the fifth line "10 years" should not be hyphenated.

Office of Consumer Credit

Commissioner

Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in Texas Civil Statutes, Title 79, Articles 1.04, 1.05, 1.11, and 15.02, as amended (Texas Civil Statutes, Articles 5069-1.04, 1.05, 1.11, and 15.02).

<u>Types of Rate Ceilings</u>	<u>Effective Period (Dates are Inclusive)</u>	<u>Consumer ⁽³⁾/Agricultural/ Commercial ⁽⁴⁾ thru \$250,000</u>	<u>Commercial⁽⁴⁾ over \$250,000</u>
Indicated (Weekly) Rate - Art. 1.04(a)(1)	09/10/90-09/16/90	18.00%	18.00%
Monthly Rate - Art. 1.04 (c) ⁽¹⁾	09/01/90-09/30/90	18.00%	18.00%
Standard Quarterly Rate - Art. 1.04(a)(2)	10/01/90-12/31/90	18.00%	18.00%
Retail Credit Card Quarterly Rate - Art. 1.11 ⁽³⁾	10/01/90-12/31/90	18.00%	N.A.
Lender Credit Card Quarterly Rate - Art. 15.02(d) ⁽³⁾	10/01/90-12/31/90	15.02%	N.A.
Standard Annual Rate - Art. 1.04(a)(2) ⁽²⁾	10/01/90-12/31/90	18.00%	18.00%
Retail Credit Card Annual Rate - Art. 1.11 ⁽³⁾	10/01/90-12/31/90	18.00%	N.A.
Annual Rate Applicable to Pre-July 1, 1983 Retail and Lender Credit Card Balances with Annual Implementation Dates from:	10/01/90-12/31/90	18.00%	N.A.
Judgment Rate - Art. 1.05, Section 2	09/01/90-09/30/90	10.00%	10.00%

⁽¹⁾For variable rate commercial transactions only. ⁽²⁾Only for open-end credit as defined in Art. 5069-1.01(f) V.T.C.S. ⁽³⁾Credit for personal, family or household use. ⁽⁴⁾Credit for business, commercial, investment or other similar purpose.

Issued in Austin, Texas, on September 4, 1990.

TRD-9009011 Al Endsley
Consumer Credit Commissioner

Filed: September 6, 1990

For further information, please call: (512) 479-1280

◆ ◆ ◆
Texas Education Agency
Notice of Contract Award

This notice of contract award is filed in accordance with Texas Civil Statutes, Article 6252-11c.

After publication of a consultant proposal request in the May 22, 1990, issue of the *Texas Register* (15 TexReg 2861) to assist in the evaluation of the current Texas teacher appraisal system (TTAS), the Texas Education Agency has awarded a contract to MGT of America, Inc., 2425 Torreya Drive, Tallahassee, Florida 32303.

The contract will begin on July 30, 1990, and the contract will end January 31, 1991.

The amount of the contract is \$74,995.

A final evaluation report and an executive summary will be prepared and an oral presentation will be made in Austin to the project administrator, agency staff, and other participants selected by the agency. The final report and executive summary will be due to the Texas Education Agency by January 31, 1991.

Issued in Austin, Texas on September 31, 1990.

TRD-9009178 W. N. Kirby
Commissioner of Education

Filed: September 10, 1990

For further information, please call: (512) 463-9701

◆ ◆ ◆

Request for Proposals

RFP #701-91-027: This request for proposals is filed in accordance with provisions of Texas Civil Statutes, Article 6252-11c.

Eligible Proposers: The Texas Education Agency (TEA) is requesting proposals (RFP #701-91-027) from regional education service centers, institutions of higher education or a consortia of the foregoing, private companies, or individuals for a literature review covering the program areas represented in the eight pilot programs established by Senate Bills 417, 650, and 994 and House Bill 1292 of the 71st Legislature, 1989.

Description: The program areas to be covered in the literature review include parent involvement and education, pre-kindergarten for three-year-olds, academic programs for children below grade level, programs for elementary at-risk students, school-age pregnancy and parenting programs, technology demonstration, teacher induction, and preparation for the high school equivalency examination. The contractor chosen for this project must demonstrate evidence of the ability to produce reviews of state and national literature on the development, implementation, and impact of programs in the areas represented in this set of pilots. The contractor will provide an annotated bibliography of the literature reviewed.

Dates of Project: The planned contract starting date is November 2, 1990. The review and annotated bibliography will be submitted to TEA by the final completion date of February 1, 1991.

Project Amount: The cost of the contract will not exceed \$12,000.

Selection Criteria: Proposals will be evaluated by a review panel will be assembled and presented to the commissioner of education who will, as authorized by the State Board of Education, either approve the proposal in whole or in part, disapprove the proposal, or defer action on the proposal for such reasons as a requirement for further evaluation.

Requesting the Proposal: A copy of the complete Request for Proposal may be obtained by writing or calling: Document Control Center, Room 6-108, Texas Education Agency, William B. Travis Building, 1701 North Congress Avenue, Austin, Texas 78701, (512) 463-9304.

Further Information: For further information about the request for proposals, please contact Rob Woodson, Director of Programs, Division of Planning Coordination, Texas Education Agency, (512) 475-3422.

Deadline for Receipt of Proposals: Proposals are due in the Document Control Center, at the address listed previously, by 5 p.m. on October 12, 1990.

Issued in Austin, Texas, on September 14, 1990.

TRD-9009177

W. N. Kirby
Commissioner of Education

Filed: September 10, 1990

For further information, please call: (512) 463-9701

◆ ◆ ◆

Texas Department of Human Services Public Notice

The Texas Department of Human Services published adopted rules in the February 9, 1990, issue of the *Texas Register* (15 TexReg 718) that provided the basis of distribution of funds to hospitals delivering a disproportionate share of indigent health care. The following list identifies facilities that qualify as disproportionate share hospitals. A disproportionate share payment was made to each of these facilities in state fiscal year 1990.

<u>Facility</u>	<u>City</u>
Crane Memorial Hospital	Crane
Shackelford County Hospital	Albany
Plains Memorial Hospital	Dimmitt
Martin County Hospital District	Stanton
Hemphill County Hospital	Canadian
Culberson County Hospital	Van Horn
Rankin County Hospital	Rankin
Schleicher County Hospital	Eldorado
Knox County Hospital	Knox City
Memorial Hospital	Refugio
Lillian Hudspeth Hospital	Sonora
Stonewall Memorial Hospital	Aspermont
Swisher Memorial Hospital	Tulia
Fisher County Hospital	Rotan
Riverside General Hospital	Houston
Maverick County Hospital	Eagle Pass
Mitchell County Hospital	Colorado City
Yoakum County Hospital	Denver City
Chillicothe Hospital	Chillicothe
John P. Smith Hospital	Fort Worth
Lynn County Hospital	Tahoka
Knapp Medical Center	Weslaco
Starr County Hospital	Rio Grande City
Bexar County Hospital District	San Antonio
Frio Hospital	Pearsall
Nocona General Hospital	Nocona
U.T. Medical Branch	Galveston
Harris County Hospital District	Houston
Driscoll Children's Hospital	Corpus Christi
Otto Kaiser Memorial Hospital	Kenedy
Edinburg General Hospital	Edinburg
R.E. Thomason Hospital	El Paso
Jack County Hospital	Jacksboro
Hospital in Pines	Lone Star
U.T. Health Center	Tyler
Lubbock General Hospital	Lubbock
Santa Rosa Medical Center	San Antonio
Parkland Memorial Hospital	Dallas
Val Verde Memorial Hospital	Del Rio
Alice Physicians/Surgeons	Alice
Brownsville Medical Center	Brownsville
North Runnels Hospital	Winters
Mercy Medical Center	Laredo
McAllen Medical Center	McAllen
Comanche Hospital	Comanche
Lockney Hospital	Lockney
Valley Community Hospital	El Paso
Mission Hospital	Mission
Memorial Medical Center	Corpus Christi
Cherokee Medical Center	Rusk
Valley Regional Medical Center	Brownsville
Brackenridge Hospital	Austin
Tri-City Community Hospital	Jourdanton
Brewster Memorial Hospital	Alpine
Lavaca Medical Center	Hallettsville
Santa Rosa Children's Hospital	San Antonio

recos County Hospital
 Dimmit County Hospital
 Harris Methodist Hospital

 Memorial Hospital
 Torbett-Hutchins Smith Hospital
 Doctor's Hospital
 Ward Memorial Hospital
 Medical Center Hospital
 Medina Community Hospital
 Lutheran General Hospital
 Concho County Hospital
 Cuero Community Hospital
 Deaf Smith Hospital
 Bee County Medical Center
 Citizens Hospital
 Medical Arts Hospital
 Memorial Hospital
 Uvalde Hospital
 Permian General Hospital
 Baptist Medical Center
 Kimble Hospital
 Northwest Texas Hospital
 Southwest General Hospital
 Harris Methodist Hospital
 Spohn Kleberg Hospital
 Parkway Hospital
 Smithville Hospital
 Madison County Hospital
 Medical Center Hospital
 Anson General Hospital
 Edgar Davis Memorial Hospital
 Baptist Hospital
 E.L. Graham Hospital
 Riverside Hospital
 Doctors Memorial Hospital
 Atlanta Memorial Hospital
 Valley Baptist Medical Center
 South Park Medical Center
 Charter Community Hospital
 Children's Medical Center
 M.D. Anderson Hospital
 Brooks County Hospital
 Electra Memorial Hospital
 Stamford Memorial Hospital
 Franklin County Hospital
 Yoakum Community Hospital
 Titus County Hospital
 Guadalupe Valley Hospital
 Houston County Hospital
 Memorial Medical Center
 Cook-Fort Worth Children's Hospital
 Texas Children's Hospital

Fort Stockton
 Carrizo Springs
 Mexia

 Center
 Marlin
 Laredo
 Monahans
 Conroe
 Hondo
 San Antonio
 Eden
 Cuero
 Hereford
 Beeville
 Commerce
 Lamesa
 Marshall
 Uvalde
 Andrews
 San Antonio
 Junction
 Amarillo
 San Antonio
 Stephenville
 Kingsville
 Houston
 Smithville
 Madisonville
 Odessa
 Anson
 Luling
 Orange
 Cisco
 Corpus Christi
 Tyler
 Atlanta
 Harlingen
 Lubbock
 Cleveland
 Dallas
 Houston
 Falfurrias
 Electra
 Stamford
 Mt. Vernon
 Yoakum
 Mt. Pleasant
 Seguin
 Crockett
 Port Lavaca
 Fort Worth
 Houston

Issued in Austin, Texas, on September 7, 1990.

TRD-9009093 Cathy Roseberg
Agency Liaison, Policy and Document
Support Department
Texas Department of Human Services

Filed: September 7, 1990

For further information, please call: (512) 450-3765



Legislative Budget Office

Joint Budget Hearing Schedule

Executive and Legislative Budget Offices, Joint Budget Hearing Schedule**, Appropriations Requests for the 1992-1993 Biennium, (For the period of September 17-21, 1990).

Commission for the Blind, September 18-9:30 a.m., Room GA, John H. Reagan Building, 15th and North Congress, Austin; Texas Youth Commission, September 18-10:30 a.m., Room GB, John H. Reagan, Building, 15th and North Congress, Austin; Commission of the Deaf, Septem-

ber 18-2 p.m., Room GA, John H. Reagan Building, 15th and North Congress, Austin; Texas Employment Commission, September 18-2 p.m., Room GB, John H. Reagan Building, 15th and North Congress, Austin; Board of Podiatry Examiners, September 19-10 a.m., Room GA, John H. Reagan Building, 15th and North Congress, Austin; Juvenile Probation Commission, September 19-10:30 a.m., Room 223, John H. Reagan Building, 15th and North Congress, Austin; Texas Rehabilitation Commission, September 19-2 p.m., Brown-Heatly Building, 4900 North Lamar Boulevard, Austin; Commission on Human Rights, September 19-2 p.m. Room GB, John H. Reagan Building, 15th and North Congress, Austin; Commission on Law Enforcement and Officer Standards and Education, September 20-9:30 a.m., Room GA, John H. Reagan Building, 15th and North Congress, Austin; Fire Department Emergency Board, September 21-8:30 a.m., Room 107, John H. Reagan Building, 15th and North Congress, Austin; Office of Consumer Protection, September 21-9 a.m., Room 107, John H. Reagan Building, 15th and North Congress, Austin; State Board of Insurance, September 21-10 a.m., Room 107, John H. Reagan Building, 15th and North Congress, Austin.

◆ *In Addition September 14, 1990 15 TexReg 5387*

****NOTE:** Please confirm above dates, times and locations in the event you plan to attend a hearing, since experience has shown that some rescheduling always occurs. Hearings schedule may be checked on PROFS.

Issued in Austin, Texas on September 6, 1990.

TRD-9009083 Larry Kopp
Assistant Director for Budgets
Legislative Budget Office

Filed: September 7, 1990

For further information, please call: (512) 463-1200



Executive and Legislative Budget Offices, Joint Budget Hearing Schedule**, Appropriations Requests for the 1992-1993 Biennium (For the period of September 10-14, 1990).

Commission on Law Enforcement and Officer Standards and Education, September 10-1:30 p.m., Room 102, John H. Reagan Building, 15th and North Congress, Austin; Employees Retirement System, September 10-2 p.m., Room 107, John H. Reagan Building, 15th and North Congress, Austin; Credit Union Department, September 11-9:30 a.m. Room 223, John H. Reagan Building, 15th and North Congress, Austin, Aircraft Pooling Board, September 11-10 a.m., Room 246, John H. Reagan Building, 15th and North Congress, Austin; Treasury Department, September 11-2 p.m., Room 107, John H. Reagan Building, 15th and North Congress, Austin; School for the Deaf, September 12-10:30 a.m., Room 107, John H. Reagan Building, 15th and North Congress, Austin; School for the Blind, September 12-1:30 p.m., Room 107, John H. Reagan Building, 15th and North Congress, Austin; Public Integrity Unit-Office of the District Attorney for the 53rd Judicial District (Travis County), September 13-2 p.m., Room 103, John H. Reagan Building, 15th and North Congress, Austin; Department of Aging, September 14-10 a.m., Room 102, John H. Reagan Building, 15th and North Congress, Austin.

An Addition: Public Utility Commission, September 13-9:30 a.m., Room 102, John H. Reagan, Building, 15th and North Congress, Austin.

****NOTE:** Please confirm above dates, times and locations in the event you plan to attend a hearing, since experience has shown that some rescheduling always occurs. Hearings schedule may be checked on PROF.

Issued in Austin, Texas, on September 5, 1990.

TRD-9009080 Larry Kopp
Assistant Director for Budgets
Legislative Budget Office

Filed: September 5, 1990

For further information, please call: (512) 463-1200



Executive and Legislative Budget Offices, Joint Budget Hearing Schedule**, Appropriations Requests for the 1992-1993 Biennium (For the period of September 10-14, 1990).

The following Agency has been CANCELLED Commission on Law Enforcement and Officer Standards and Education, September 10-1:30 p.m., Room 102, John H. Reagan Building, 15th and North Congress, Austin.

Employees Retirement System, September 10-2 p.m., Room 107, John H. Reagan Building, 15th and North Congress, Austin; Credit Union Department, September 11-9:30 a.m., Room 223, John H. Reagan Building, 15th

and North Congress, Austin; Aircraft Pooling Board, September 11-10 a.m., Room 246, John H. Reagan Building, 15th and North Congress, Austin; Treasury Department, September 11-2 p.m., Room 107, John H. Reagan Building, 15th and North Congress, Austin; School for the Blind, September 12-1:30 p.m., Room 107, John H. Reagan Building, 15th and North Congress, Austin; Public Integrity Unit-Office of the District Attorney for the 53rd Judicial District (Travis County), September 13-2 p.m., Room 103, John H. Reagan Building, 15th and North Congress, Austin; Department of Aging, September 14-10 a.m., Room 102, John H. Reagan Building, 15th and North Congress, Austin.

An Addition: Public Utility Commission, September 13-9:30 a.m., Room 102, John H. Reagan Building, 15th and North Congress, Austin.

****NOTE:** Please confirm above dates, times and locations in the event you plan to attend a hearing, since experience has shown that some rescheduling always occurs. Hearings schedule may be checked on PROFS.

Issued in Austin, Texas, on September 5, 1990.

TRD-9009093 Larry Kopp
Assistant Director for Budgets
Legislative Budget Office

Filed: September 6, 1990

For further information, please call: (512) 463-1200



(Texas Parks and Wildlife Department) Gulf States Marine Fisheries Commission GSMFC Fall Meeting

The Gulf States Marine Fisheries Commission will hold its 41st Annual Meeting October 15-October 19, 1990. Florida is the host state and accommodations have been made to convene at Marriott's Bay Point Resort, 100 Delwood Beach Road, Panama City Beach, Florida.

All persons interested in Gulf States Marine Fisheries Commission are invited to attend. For additional information please call Virginia K. Herring, (601) 875-5912.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009124 Boyd M. Johnson
General Counsel
Texas Parks and Wildlife Department

Filed: September 7, 1990

For further information, please call: 1-800-792-1112, ext. 4641 or (512) 389-4641



Texas State Board of Pharmacy Correction of Error

The Texas State Board of Pharmacy submitted adopted sections which were published with errors in the August 21, 1990, issue of the *Texas Register* (15 TexReg 4807).

In §291.33(g) remove the word "an" from the text.

In §291.74(f)(3)(A)(ii)(IV) the first word "quacity" is misspelled, it should be "quantity."

In §291.74(f)(3)(B)(ii) remove the comma (,) following the words "brand name" in the first sentence.

In §291.75(c)(8) in the first sentence, add a space between the words "out" and "in."

In §291.76(d)(5)(C) remove the word "an" from the text.

In §291.76(d)(5)(C)(i)(II)(-d-) in the second line, the word "quantity" is misspelled, it should be "quantity."

In §291.76(d)(5)(C)(ii) remove the word "an" from the text.

In §291.76(e)(1)(D)(ii) in the second line, the word "system" is printed two times, delete one so that the sentence reads "...system is capable of..."

In §291.76(e)(3)(I) in the second sentence replace the words "a hospital" with "an ASC" so that the sentence reads "...in the event that an ASC pharmacy..."



Public Hearing Notice

The Texas State Board of Pharmacy will conduct a public hearing beginning at 11 a.m., Tuesday, September 18, 1990, at the Red Lion Airport Hotel, 6121 IH-35 North, Austin. The purpose of the hearing is to receive testimony regarding the following proposed section which was published in the June 5, 1990, edition of the *Texas Register*: §281.24, relating to grounds for discipline for a pharmacist license, as it pertains to unprofessional conduct, gross immorality, fraud, deceit, and misrepresentation.

The board has determined that the preceding section is necessary to help ensure that the practice of pharmacy in Texas is conducted in a manner which protects the health and safety of the citizens of Texas.

The public is encouraged to attend the hearing and to present evidence or opinions regarding the proposed section. Written testimony is encouraged. The board would appreciate receiving a copy of all written testimony before the hearing. The testimony and questions regarding the public hearing should be addressed to Fred S. Brinkley, Jr., R.Ph., Executive Director/Secretary, Texas State Board of Pharmacy, 8505 Cross Park Drive, Suite 110, Austin, Texas 78754-4594.

Issued in Austin, Texas on September 7, 1990.

TRD-9009105 • Fred S. Brinkley, Jr., R.Ph.
Executive Director/Secretary
Texas State Board of Pharmacy

Filed: September 7, 1990

For further information, please call: (512) 832-0661



Texas Department of Public Safety Correction of Error

The Texas Department of Public Safety submitted proposed sections which contained errors as published in the August 14, 1990, issue of the *Texas Register* (15 TexReg 4624).

In §19.1(b)(3) and §19.3(c)(4), the symbol "±" should appear before "0.01g/210L".



Public Utility Commission of Texas Notice of Application

Notice is given to the public of the filing with the Public Utility Commission of Texas of an application on August 30, 1990, to amend a certificate of convenience and necessity pursuant to the Public Utility Regulatory Act, §§16(a),

17(e), 50, 52, and 54. A summary of the application follows.

Docket Title and Number: Application of Texas-New Mexico Power Company for a certificate of convenience and necessity for a transmission line in Galveston County, Docket Number 9728 before the Public Utility Commission of Texas.

The Application: In Docket Number 9728, Texas-New Mexico Power Company requests approval of its application to construct approximately 2.52 miles of 138kV transmission line south of League City in Galveston County.

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) 458-0223, or (512) 458-0227 within 15 days of this notice.

Issued in Austin, Texas on September 6, 1990.

TRD-9009154 • Mary Ross McDonald
Secretary of the Commission
Public Utility Commission of Texas

Filed: September 7, 1990

For further information, please call: (512) 458-0100



Texas A&M University System Consultant Contract Award

Under the provisions of Texas Civil Statutes, Article 6252-11C, The Texas A&M University System has engaged a consultant to provide an actuarial study of the System Workers' Compensation Program. This consultant was engaged as a result of a proposal submitted in response to the Texas A&M University System's consultant Proposal which was published in the *Texas Register* on June 22, 1990, (15 TexReg 3668). The consultant will assist the Texas A&M University System in accurately assessing risk, in determining a valid premium rate and in providing sufficient reserves for future claims. The consultant to be engaged is: Deloitte and Touch, One State Street, Hartford, Connecticut 060103.

The contact will commence on August 31, 1990, and end October 5, 1990. The total value of the contract will not exceed \$17,300.

Issued in Austin, Texas, on August 24, 1990.

TRD-9008985 • Eddle J. Davis
Deputy Chancellor for Finance and
Administration
The Texas A&M University System

Filed: September 5, 1990

For further information, please call (512) 845-6969



Texas Water Commission Meeting Notice

A meeting of the Management Committee of the Galveston Bay National Estuary Program (GBNEP) is scheduled for: Wednesday, September 19, 1990, 9 a.m., University of Houston-Clear Lake, Forest Room, Bayou Building, Houston.

Following opening remarks and approval of minutes, the program staff will summarize Estuary Program Advisory Committee business. The Management Committee will

then consider current needs for an oil/chemical spill response strategy, including the following topics: nature of the problem; current federal and state legislation; role of various organizations; some possible elements of a response strategy; structure of some cooperative spill response organizations in other parts of the country; and possible GBNEP role in fostering improved spill response. The committee will then break for lunch, followed by hearing verbal proposals and making a recommendation to the Policy Committee on award of a contract to revise the current segmentation scheme for Galveston Bay. The committee will then consider for revision/approval the following GBNEP project deliverables: non-point source work scope; socioeconomic work scope; oyster survey work plan; information center draft bibliography; coastal preserves environmental inventories; coastal preserves regulatory surveys; coastal preserves tide gauge siting study; oyster video script; and synopsis of the public perception survey. The committee will then appoint a Bay Day Task Force representative and a Citizens' Advisory Steering Committee member to represent commercial fishing. The committee will then consider approval to initiate public information and education fund requests for proposals. The committee will consider approving the November meeting for November 14 instead of November 21 to avoid holiday conflicts. The committee will consider hosting a meeting of the Gulf of Mexico Program Spring, 1991, and approval of a scientific/technical workshop in Winter, 1991. The committee will then view and consider approving for release several recently completed video completed under contract. Finally, the committee will discuss any other business, confirm the next meeting date, and adjourn.

Issued in Austin, Texas, on September 7, 1990.

TRD-9009181 Frank S. Shibley, Ph.D.
Program Administrator
Texas Water Commission

Filed: September 10, 1990

For further information, please call: (713) 283-3950

Notice of Application For Waste Disposal Permit

Notice is given by the Texas Water Commission of public notices of waste disposal permit applications issued during the period of August 27-August 31, 1990.

No public hearing will be held on these applications unless an affected person has requested a public hearing. Any such request for a public hearing shall be in writing and contain the name, mailing address, and phone number of the person making the request; and a brief description of how the requester, or persons represented by the requester, would be adversely affected by the granting of the application. If the commission determines that the request sets out an issue which is relevant to the waste discharge permit decision, or that a public hearing would serve the public interest, the commission shall conduct a public hearing, after the issuance of proper and timely notice of the hearing. If no sufficient request for hearing is received within 30 days of the date of publication of notice concerning the applications, the permit will be submitted to the commission for final decision on the application.

Information concerning any aspect of these applications may be obtained by contacting the Texas Water Commis-

sion, P.O. Box 13087, Capitol Station, Austin, Texas 78711, (512) 463-7905.

Listed are the name of the applicant and the city in which the facility is located, type of facility, location of the facility, permit number, and type of application—new permit, amendment, or renewal.

ARCO Chemical Company; Pasadena; existing Class I hazardous solid waste storage facility; on two tracts containing 123.630 acres at 10801 Choate Road, northwest of the intersection of Bay Area Boulevard and Choate Road in Harris County; HW-50275, EPA I.D. Number TXD-058265067; new; 45-day notice.

E. I. Dupont De Nemours and Company, Beaumont; wastewater treatment facilities; State Highway 347, immediately south of the south city limit of the City of Beaumont and on the west bank of the Neches River, Jefferson County; 00473; amendment.

Lyondell Petrochemical Company, a division of Atlantic Richfield Company; Class I hazardous industrial solid waste processing and disposal facility; on a 700-acre tract of land on the north side of Highway 225, east of Light Company Road and west of Allen Genoa Road in Houston, Harris County; HW-50106, EPA I.D. Number TXD-082688979; amendment; 45-day notice.

Issued in Austin, Texas, on September 4, 1990.

TRD-9009058 Brenda W. Foster
Chief Clerk
Texas Water Commission

Filed: September 6, 1990

For further information, please call: (512) 463-7906

Texas Workers' Compensation Commission

Correction of Error

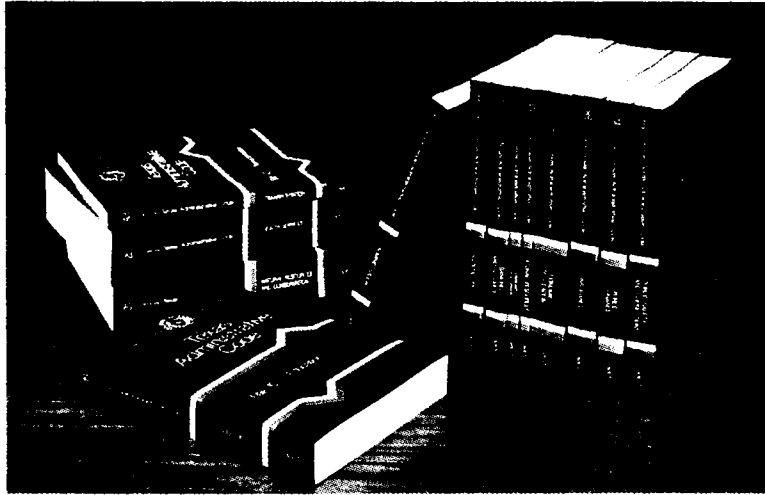
The Texas Workers' Compensation Commission submitted proposed sections which contained errors as published in the August 31, 1990, issue of the *Texas Register* (15 *TexReg* 5005).

In §132.4(g) there was a typographical error in the citation. The subsection should read as follows: "(g) An adult child claiming eligibility to receive benefits under the Act, §4.42(g)(2), shall be required to establish dependent status as set out in §132.2 of this title (relating to Determination of Facts of Dependent Status). A physically or mentally handicapped child shall submit medical evidence of the handicap."

In §132.6(a), the comma following "spouse" was omitted. The subsection should read as follows: "(a) a parent, stepparent, sibling, or grandparent of a deceased employee who was dependent on the employee on the day of death is entitled to receive death benefits, only if there is no eligible spouse, child, or grandchild."

In §132.7(a), a typographical error changed "date" to "update". The subsection should read as follows: "(a) a spouse who is determined eligible for death benefits is entitled to receive benefits until the date of the spouse's death or until remarriage."

The only COMPLETE, OFFICIAL and UP-TO-DATE
source of administrative rules for Texas!



SAVE 40% ON WEST'S® TEXAS ADMINISTRATIVE CODE

West Publishing Company, official publisher of the *Texas Administrative Code* for 1990, is proud to announce that the complete TAC is now ready—and is being offered to you right now at a full set savings of 40%! Or, choose only those volumes essential to your daily practice.

COMPLETE, FOR RESEARCH CONVENIENCE!

The TAC is your convenient access to the rules and regulations of Texas state agencies. Each title is divided into parts, and each part corresponds to a state agency. The chapters and sections within each part thus contain all permanent rules and regulations for that particular agency in one convenient publication.

DEPENDABLE SUPPLEMENTATION TO KEEP YOU UP-TO-DATE!

West's TAC includes rules and regulations soon after their adoption into Texas law.

You'll find the exact currency dates of the provisions contained within the preface of each volume.

Timely Supplementation! Semi-annual supplements bring subscribers up-to-date with the adoption of new rules and changes in existing rules. The supplementation consists of softbound, cumulative, companion volumes to the 16-volume TAC set. This eliminates the time-consuming need for complicated collation and substitution of pages that was required by the looseleaf format of the previous publisher.

OFFICIAL, FOR YOUR ASSURANCE OF CONFIDENCE!

Only with West's *Texas Administrative Code* do you get absolute assurance that all code provisions appear as finally reviewed and corrected by the Secretary of State's Office.

TITLES INCLUDED IN THIS COMPLETE AND OFFICIAL SET:

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
31. Natural Resources and Conservation
34. Public Finance
37. Public Safety and Corrections
40. Social Services and Assistance
43. Transportation
- All New General Index



WEST PUBLISHING CO.

50 W. Kellogg Blvd. • P.O. Box 64526 • St. Paul, MN 55164-0526

SAVE 40% ON YOUR FULL SET PURCHASE! Get complete details from your West representative, or call toll free **1-800-328-9352**. (In MN call collect 0-612-688-3600.)

To order a new subscription, or to indicate a change of address, please use this form. When notifying us of an address change, please attach the mailing label from the back of a current issue. Questions concerning existing subscriptions should also include the subscription number from the mailing label.

For information concerning the Texas Register, please call (512) 463-5561, or write to P.O. Box 13824, Austin, Texas 78711-3824.

You may also use this form to request back issues of the Texas Register. Please specify the exact dates and quantities of the issues requested. Each copy of a back issue is \$4.

Change of Address
(Please attach mailing label)

Back Issues Requested
(Please specify dates)

Please enter my subscription to the Texas Register as indicated below. (I will look for my first issue in about two weeks.)

1 year (100 issues) \$90

Payment enclosed

6 months (50 issues) \$70

Bill me

Name

Organization

Occupation

Address

City

State

Zip Code

Please make checks payable to the Secretary of State. Subscription fees are not refundable.

For office use only

Second Class Postage

PAID

Austin, Texas
and additional entry offices
