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TEXAS REGISTER

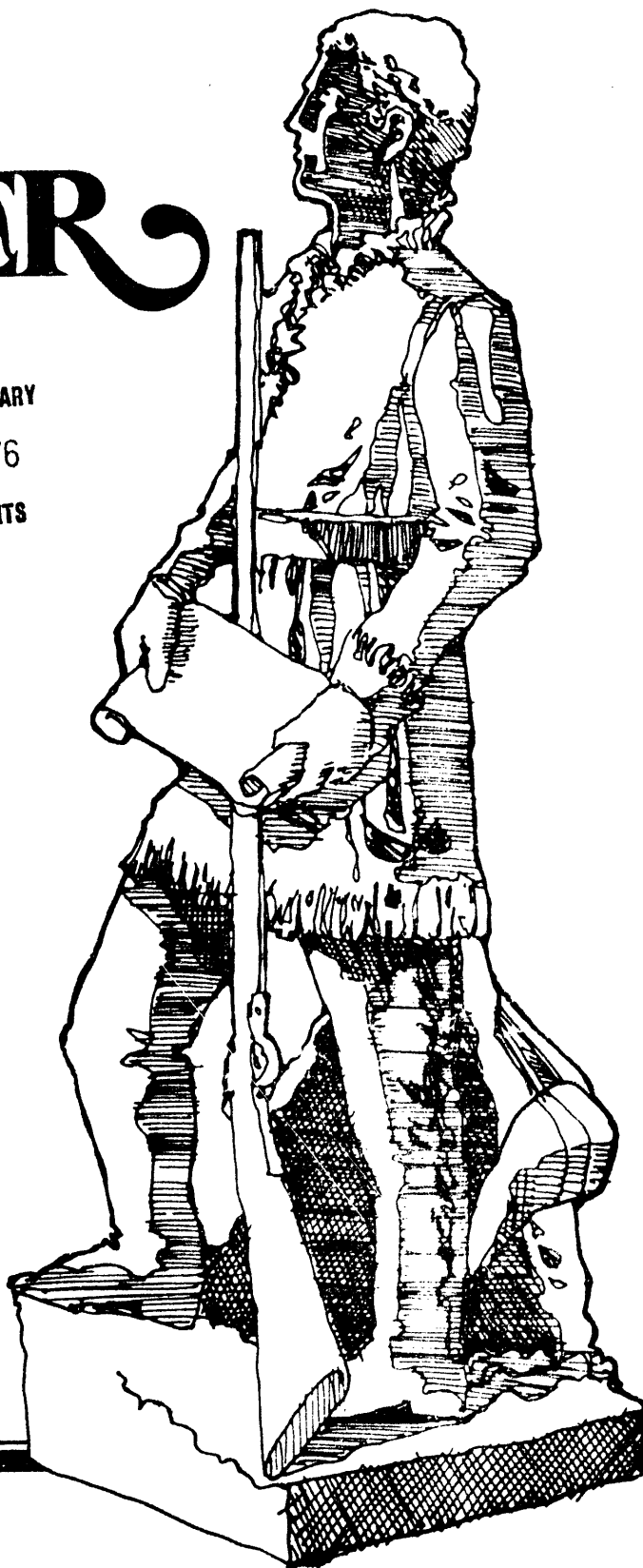
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TEXAS DOCUMENTS

In This Issue...

Food Stamp Program rules proposed by the Texas Department of Public Welfare

Medicaid procedures rules and Early and Periodic Screening, Diagnosis, and Treatment Program rules adopted by the Texas Department of Public Welfare

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TEXAS DOCUMENTS



Office of the Secretary of State

NOTES ON THE ISSUE

Chiropractic services have been extended to all Title XIX recipients by recent amendments to DPW rules governing Medicaid procedures. The new rules, which appear in this issue, specify requirements for reimbursement for chiropractic treatment.

In other action, DPW has adopted amendments to its rules guiding the administration of the Early and Periodic Screening, Diagnosis, and Treatment Program. The program, which has been in operation since early 1973, provides preventive health care for Medicaid-eligible persons under 21. The rules include provisions for locating eligible persons and making services easily available to them. The amendments make no substantive changes in the program.

Cover illustration represents Elisabet Ney's statue of Stephen F. Austin, which stands in the foyer of the State Capitol.

Artwork: Gary Thornton

TEXAS REGISTER

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Opinions

Summary of Opinion H-871

Request from Kenneth H. Ashworth, Commissioner, Coordinating Board, Texas College and University System, Austin, concerning whether teaching assistants are required to be members of the Teacher Retirement System.

Summary of Opinion: Teaching assistants at public universities are required to be members of the Teacher Retirement System of Texas if they are employed on a "full-time, regular salary basis" as that term has been defined by the Board of Trustees of the Teacher Retirement System of Texas.

Filed: September 2, 1976, 9:04 a.m.

Doc. No. 764626

Summary of Opinion H-872

Request from Ron Clower, Chairman, Texas Senate Subcommittee on Consumer Affairs, Austin, concerning a municipality's authority to require a regulated utility to furnish financial data concerning operations outside the city limits.

Summary of Opinion: Under the Public Utility Regulatory Act, the governing body of a municipality regulating rates of a public utility furnishing service within city or town limits may, after September 1, 1976, require that the utility furnish information concerning profits and losses in areas outside the city or town limits.

Filed: September 2, 1976, 9:04 a.m.

Doc. No. 764627

Summary of Opinion H-873

Request from Sam Baxter, Criminal District Attorney, Harrison County, Marshall, concerning whether several school districts may use proceeds of the county permanent school fund to construct a jointly owned vocational school.

Summary of Opinion: Section 6b, Article 7, of the Texas Constitution does not prohibit the use of proceeds realized from the sale of county permanent school fund lands and distributed to the school districts of the county to construct a vocational school facility jointly owned by the school districts.

Issued in Austin, Texas, on August 31, 1976.

Doc. No. 764628 C. Robert Heath
Opinion Committee Chairman
Attorney General's Office

Filed: September 2, 1976, 9:04 a.m.

For further information, please call (512) 475-5445.

Open Records Decisions

Summary of Open Records

Decision 139

Request from Otis H. King, City Attorney, Houston, concerning whether information concerning Equal Employment Opportunity Commission complaints and personnel information is public.

Summary of Decision: Information concerning EEOC complaints made to a city is public under the Open Records Act so long as it does not contain detailed records from individuals' personnel files.

Issued in Austin, Texas, on August 31, 1976.

Doc. No. 764625 C. Robert Heath
Opinion Committee Chairman
Attorney General's Office

Filed: September 2, 1976, 8:52 a.m.

For further information, please call (512) 475-5445.

An agency may adopt a proposed rule no earlier than 30 days after publication in the *Register*, except where a federal statute or regulation requires implementation of a rule on shorter notice.

An agency, on request, shall provide a statement of the reasons for and against adoption of a rule. Any interested person may request this statement before adoption or within 30 days afterward. The statement shall include the principal reasons for overruling considerations urged against the agency's decision.

Numbering System-- Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the category of rules to which the rule belongs. The third unit (two digits) indicates the subcategory of rules, if any, within the category. The fourth unit (three digits) indicates the individual rule.

Symbology-- Changes to existing material are indicated in *bold italics*. [Brackets] indicate deletion of existing material.

State Department of Public Welfare

Food Stamps

Responsibilities 326.15.12

The Department of Public Welfare proposes the following new rule in the Food Stamp Program. This proposal would require that all food stamp certification offices display a food stamp information poster. The poster contains information that would be helpful to clients, such as location and service hours of food stamp issuance sites. The poster also reminds clients that the authorization to purchase card (ATP) can be used only in the month printed on the front of the card. This proposal results from a department decision to revise policy.

Written comments are invited and may be sent to Susan Johnson, Administrator, Systems and Procedures Bureau-- 439, Department of Public Welfare, John H. Reagan Building, Austin, Texas 78701, within 30 days of the publication of this *Register*.

The following rule is proposed under the authority of Article 695c, Texas Civil Statutes.

.022. *Food Stamp Information Poster.*

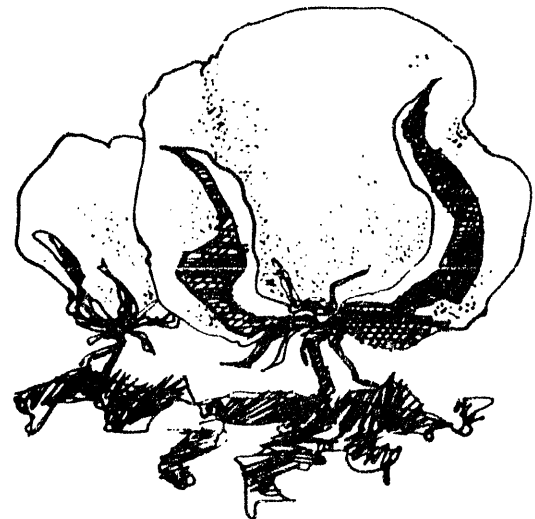
(a) Each certification office will prominently display the poster "Food Stamp Information."

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764601 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Proposed Date of Adoption October 7, 1976

For further information, please call (512) 475-4601.



ADOPTED RULES

An agency may adopt a proposed rule no earlier than 30 days after publication in the *Register*, except where a federal statute or regulation requires implementation of a rule on shorter notice.

An agency, on request, shall provide a statement of the reasons for and against adoption of a rule. Any interested person may request this statement before adoption or within 30 days afterward. The statement shall include the principal reasons for overruling considerations urged against the agency's decision.

Numbering System-- Each rule is designated by a unique 10-digit number which is divided into four units by decimal points. The first unit (three digits) indicates the agency which promulgates the rule. The second unit (two digits) indicates the category of rules to which the rule belongs. The third unit (two digits) indicates the subcategory of rules, if any, within the category. The fourth unit (three digits) indicates the individual rule.

State Department of Public Welfare

Purchased Health Services

Medicaid Procedures for Providers 326.36.01

The Department of Public Welfare adopts the amendment to Rule 326.36.01.001 as proposed in the July 6, 1976, issue of the *Texas Register*. This amendment excludes the portion of the *Blue Cross Medicaid Manual for Providers of Services* which limits chiropractic benefits to only those Medicaid recipients who are enrolled in Part B of Medicare. No comments were received.

This amendment has been approved by the State Board of Public Welfare and is adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. Blue Cross Medicaid Manual for Providers of Services. The Department of Public Welfare adopts by reference the *Blue Cross Medicaid Manual for Providers of Services* with the exception of item 12, Chiropractic Benefits, on page 8.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764602 Raymond W. Vowell
Commissioner
State Department of Public
Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.

Medicaid Chiropractic Program 326.36.05

The Department of Public Welfare adopts Rules 326.36.05.001-.003 as proposed in the July 6, 1976, issue of the *Texas Register*. These rules stipulate the requirements for reimbursement of Title XIX Medicaid chiropractic services. No comments were received, but a minor change was made for clarification.

These rules have been approved by the State Board of Public Welfare and are adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. Claims Documentation. Before a claim filed for reimbursement of chiropractic services can be considered for payment, the claim form must contain the following information:

(a) A diagnosis. The primary diagnosis must be subluxation. The descriptive term should refer either to the condition of the spinal joint involved or to the direction of the position assumed by the bone names.

(b) Location of subluxation. The precise level of the subluxation must be specified to substantiate a claim for manipulation of the spine. This designation is made in relation to the part of the spine in which the subluxation is identified. The level of subluxation may be specified in the following ways:

(1) The exact bones may be listed (C5, T1, etc.).

(2) The location may be used if it implies several bones (lumbo-sacral, occiput and C1, etc.).

(c) The symptoms. A description of the symptoms associated with subluxation must be shown on the claim form. They must bear a direct relationship to the level of subluxation.

(d) Documentation of X ray. The claim form must indicate that an X-ray film is available demonstrating the existence of a subluxation at the specified level of the spine. The date of the X-ray is also required on the claim form. In the case of an acute condition, the X-ray must be taken no more than three months prior to the initial date of treatment and for a chronic condition the X-ray must not have been taken more than 12 months prior to the initial course of treatment. The claim form must also specify the condition as acute or chronic.

(e) Treatment phase. The number of manual manipulations that have been performed (e.g., second, fifth, tenth treatment, etc.) must be stated.

(f) If all of the above requested information is not shown on the claim form, the missing information will be requested from the chiropractor, resulting in delay of processing for Medicaid payment.

.002. Reimbursement. Covered services will be reimbursed at 95 percent of the present Medicare allowable charge.

.003. *Filing Deadline.* All claims are subject to a 90-day filing deadline, and must be received by the fiscal agent no later than 90 days from the date service was provided.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764603 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.



Early and Periodic Screening, Diagnosis, and Treatment

Overview 326.39.11

The Department of Public Welfare has adopted Rule 326.39.11.001 as proposed in the June 29, 1976, issue of the *Texas Register*.

Two comments were received regarding the Early and Periodic Screening, Diagnosis, and Treatment rules. One comment suggested a change in a rule which has been repealed; the other comment was determined to be inconsistent with the purposes of the program.

This rule has been approved by the State Board of Public Welfare and is adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. *Program Description.*

(a) The Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) program is unique because it is

a preventive health program that provides for early detection and treatment of health problems that might be detrimental later in life.

(b) The Department of Public Welfare has contracted with the Texas Department of Health Resources (TDHR) to provide medical screening and dental services to eligible recipients. Public and private providers of medical diagnosis and treatment services file claims for services rendered with the state's health insuring agent. Providers of dental services file claims for services rendered with TDHR.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764604 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.

Administration 326.39.13

The Department of Public Welfare has adopted Rule 326.39.13.001 as proposed in the June 29, 1976, issue of the *Texas Register*.

Two comments were received regarding the Early and Periodic Screening, Diagnosis, and Treatment rules. One comment suggested a change in a rule which has been repealed; the other comment was determined to be inconsistent with the purposes of the program.

This rule has been approved by the State Board of Public Welfare and is adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. *Organizations and Functions.* Responsibility for administration of the Texas Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) program rests with the Department of Public Welfare. Management of the EPSDT program is under the administration of the Office of the Deputy Commissioner for Medical Programs. The EPSDT Program Manager, Medical Services Specialties Division, develops policies and procedures affecting the delivery of all EPSDT services.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764605 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.

Operation 326.39.14

The Department of Public Welfare has repealed Rule 326.39.14.003 as proposed in the June 29, 1976, issue of the *Texas Register*. This rule allowed an exception to the periodicity schedule for the examination of children in the Headstart program. This rule was incorporated into Rule 326.39.20.003.

Rule 326.39.14.003 has been repealed by the State Board of Public Welfare under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764606 Raymond W. Vowell
Commissioner
State Department of Public
Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.

EPSDT Documentation 326.39.15

The Department of Public Welfare has adopted Rules 326.39.15.001-.002 as proposed in the June 26, 1976, issue of the *Texas Register*.

Two comments were received regarding the Early and Periodic Screening, Diagnosis, and Treatment Rules. One comment suggested a change in a rule which has been repealed; the other comment was determined to be inconsistent with the purposes of the program.

These rules have been approved by the State Board of Public Welfare and are adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. EPSDT Case Documentation. The following items must be documented in the records of all families who request and/or receive Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services:

(a) the date the recipient was notified orally or in writing of the availability of EPSDT services (if notified locally);

(b) the date that the recipient requested or agreed to accept EPSDT services;

(1) requests may be accepted by telephone, letter, or in person;

(2) if a recipient agrees to accept an EPSDT service offered during an explanation of the program, the acceptance should be considered a request for EPSDT services and documented accordingly;

(c) the date of the scheduled appointment for medical screening and/or dental services;

(d) the date the service was provided (medical screening and/or dental services);

(e) documentation of the worker's attempts to reschedule the recipient for the service requested, if scheduled appointments were not kept;

(f) for those individuals referred from medical screening to a diagnostic and/or treatment facility:

(1) the date of referral,

(2) the date of appointment, and

(3) the date service was provided;

(g) the dates of follow-up visits, telephone calls, etc., attempting to ensure that treatment was provided;

(h) the date that service was refused and reason(s) why;

(i) a completed case record for EPSDT medical services should have one of the following:

(1) a copy of the report of medical history and screening, a copy of the authorization to release medical information, and copies of the medical referral if referrals are made;

(2) one copy of the report of medical history and screening, a copy of the authorization to release medical information, and a copy of medical referral; or

(3) one copy of the report of medical history and screening, and a copy of a medical referral with a medical referral supplement;

(j) a completed case record for EPSDT dental services would include a copy of the dentist's statement, emergency or exam invoice or a treatment plan invoice, or other written documentation that services were received.

.002. Guide for Case Recording and Documentation. Case recording and documentation are accomplished through the use of forms and narrative dictation.

(a) Narrative information should be recorded when EPSDT-related services are provided which are not documented by a form. Recording should be done at least monthly.

(b) Information in the narrative should be factual. Opinions and impressions of the workers should be identified as such.

(c) Repetition of information and long detailed descriptions which are not pertinent to the recipient, his problems, or the solution should be avoided.

(d) Narrative records should contain:

(1) date of contact, location or type of contact (whether home visit, office visit, or telephone contact), and with whom;

(2) clear statement of the problem or purpose of the contact;

(3) content of contact-- What was discussed? What action was taken?

(4) current case plan stating:

(A) objectives and activities planned by the recipient and worker to alleviate or resolve problems related to EPSDT service delivery;

(B) expected date when the recipient and worker can anticipate having accomplished planned activities;

(5) worker's evaluation of progress toward solution of problem. Indicate if no progress has been made or if there are barriers which keep the recipient and/or worker from accomplishing stated objectives;

(6) date of worker's dictation;

(7) worker's name and signature;

(8) date dictation was typed and typist's initials.

(e) Narrative recordings should identify requested services for which there are no community resources.

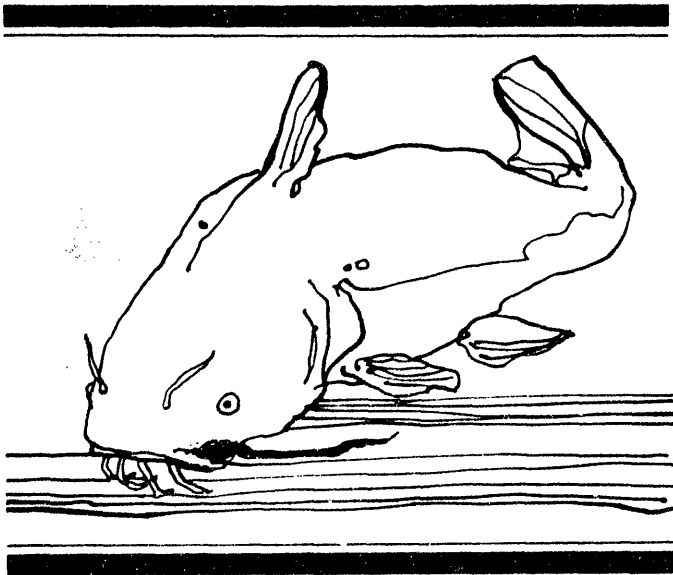
(f) If a recipient is referred to another agency, include the agency's name, service to be given, and follow-up on referral.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764607 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.



Operating Policies 326.39.17

The Department of Public Welfare has adopted Rules 326.39.17.001-.006 as proposed in the June 29, 1976, issue of the *Texas Register*.

Two comments were received regarding the Early and Periodic Screening, Diagnosis, and Treatment Rules. One comment suggested a change in a rule which has been repealed; the other comment was determined to be inconsistent with the purposes of the program.

These rules have been approved by the State Board of Public Welfare and are adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. *Recipient Rights.* Acceptance of all Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services must be voluntary and is not a prerequisite or impediment of eligibility for the receipt of any other service or aid. A recipient who refuses these services may, at a later time, request and be provided such services if still eligible.

.002. *Coordination and Collaborative Efforts.* EPSDT coordinators will seek means for establishing and maintaining collaborative efforts with local groups and organizations, such as Headstart, Followthrough, schools, and community centers, who have access to and information about eligible individuals. Collaborative efforts should result in developing and implementing plans at the local level to work cooperatively with other groups and organizations to:

(1) provide information on the EPSDT program;

(2) remove barriers to recipients' use of EPSDT services;

(3) follow up on referrals; and

(4) provide outreach and supportive services to assist eligible individuals in using EPSDT as a health resource.

.003. *Referrals for SSI.*

(a) EPSDT workers will identify and refer all current recipients of Aid to Families with Dependent Children (AFDC) and Medical Assistance Only (MAO) for whom blindness or disability is suspected according to medical information in the case record, parent's statements, or worker's observation, to financial services for referral for Supplemental Security Income (SSI).

(b) Department of Public Welfare (DPW) staff is not responsible for determining the degree of blindness, disability, or other eligibility requirements for the SSI program. Medical information from department records may only be released upon specific written request by the SSI administration and in accordance with department policy regarding confidentiality of records.

(c) Children eligible for financial assistance or services through the department, and referred to the SSI program, will not be denied financial services to which they are entitled until the Social Security Administration (SSA) notifies the department that the child has been awarded SSI benefits. Social services will continue to be provided to SSI children.

.004. *Differential Staffing.* Workers who are close to the people the program is trying to reach, such as neighborhood or indigenous personnel, often are the most successful in informing and motivating families to use the EPSDT services. Bilingual personnel and materials should be used as indicated by the population served.

.005. *Use of Volunteer Services.* Volunteer services can be effectively used to support the EPSDT program by:

(a) providing outreach to eligible recipients and

recipient groups through the use of EPSDT media presentations;

(b) assisting families and children at medical screening sites;

(c) providing transportation to medical screening sites, providers of diagnosis and treatment, and dental providers; and

(d) providing consultation related to the volunteers' areas of skill and expertise.

.006. *Transportation Support.* The Medical Transportation Program is a resource for helping DPW remove one of the major barriers, lack of transportation, to recipients' use of EPSDT services. Transportation to and from Title XIX services is provided, as funds are available, by organizations contracting with the department. Requests for transportation should be made prior to the appointment date by contacting the transportation officer assigned to each DPW region.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764608 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4801.

Definitions 326.39.20

These rules have been approved by the State Board of Public Welfare and are adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. *Early.* Early means:

(a) as early as possible in a child's life in the case of a family already receiving assistance; or

(b) as soon as possible after a family's eligibility for assistance has been established. The purpose is to identify and treat disease and abnormalities early enough that treatment can be effective.

.002. *Periodic.* Periodic means medical screening, dental examination, and treatment prescribed at intervals by providers of services and authorized by the Department of Public Welfare (DPW). The purpose is to ensure that disease or disability is not present nor beginning to develop.

.003. *Medical Screening.*

(a) Periodic medical screening is defined by DPW as:

(1) annually for eligible recipients under age six;
 (2) every three years for eligible recipients age six to 21 years; and

(3) annually for all eligible recipients under age 21 who request medical screening services.

(b) DPW has authorized an exception to its periodicity when state or federal requirements for eligible children entering Headstart, foster care, and day care programs involve medical screening during periods that may not be parallel with the periodicity schedule. EPSDT workers and their supervisors will determine when such requests are justified.

.004. *Dental Examination and Treatment.*

(a) Periodic dental examination and treatment are authorized, with prior approval:

(1) every three years for eligible recipients under age 21; and

(2) annually for eligible recipients under age 21 who request dental examination and treatment services.

(b) Emergency dental services are authorized when needed without prior approval.

(c) In order to reach as many recipients as possible, outreach efforts should aim at those eligible recipients who have never received EPSDT services. This priority takes precedence over the above definitions of periodicity.

.005. *Screening.* Screening involves the use of quick and simple procedures by health professionals to sort out apparently healthy persons from those who have a disease or abnormality. The purpose is to identify those persons in need of more definitive study (diagnosis) of their physical or mental problems.

.006. *Diagnosis.* Diagnosis combines the use of physical, developmental, and psychological examination, laboratory tests, and X-rays to determine the nature or cause of physical or mental disease or abnormality. The purposes are:

(a) to confirm the positive results of screening tests and to detect false positive results, and

(b) to develop a plan for treating an abnormality based on its nature or cause.

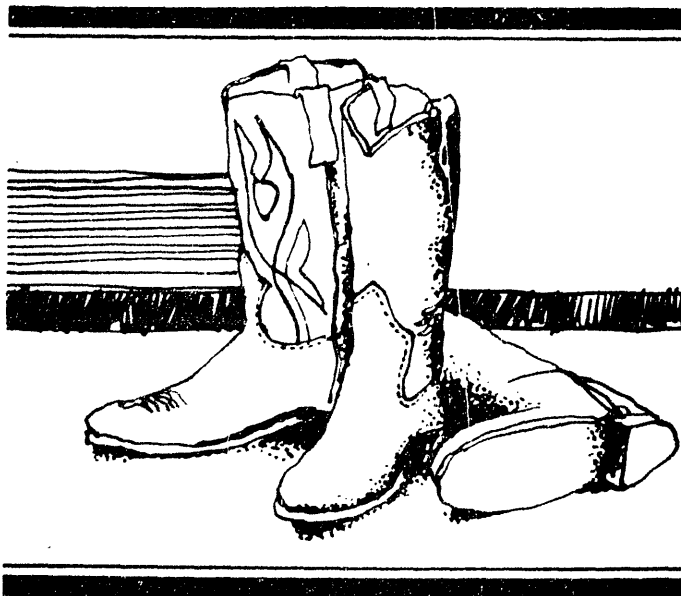
.007. *Treatment.* Treatment uses physician's or dentist's services; optometrist's or audiologist's services; hospital services (inpatient and outpatient); comprehensive health services centers; laboratory and X-ray services; prescribed drugs, eyeglasses, hearing aids; rehabilitative services; and any other type of medical and dental care and services recognized under state law to prevent, correct, or ameliorate disease or abnormalities detected by screening and diagnostic procedures. The purpose is to prevent, correct, or limit diseases or abnormalities detected by screening and diagnostic procedures.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764609 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4801.



Periodicity 326.39.21.001-.003

The Department of Public Welfare has repealed Rules 326.39.21.001-.003 as proposed in the June 29, 1976, issue of the *Texas Register*. These rules described the periodicity requirements for medical and dental screening; they were incorporated into Rule 326.39.21.004.

Rules 326.39.21.001-.003 have been repealed by the State Board of Public Welfare under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764610 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.

326.39.21.004

This rule has been approved by the State Board of Public Welfare and is adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.004. Penalty Regulations. The penalty for non-compliance with federal regulations pertaining to the EPSDT program is assessed against the Aid to Families with Dependent Children Program (Title IV-A) funds if a state fails to:

(a) notify all eligibles of the availability of medical screening and dental services no less often than annually. Notification must be in writing or by other means appropriate for illiterates;

(b) either provide or arrange to provide services within 60 days from the date of request; and

(c) arrange for diagnosis and treatment for suspected abnormalities discovered during the medical screening process within 60 days of the screening date.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764611 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.

Medical Phase 326.39.31

These rules have been approved by the State Board of Public Welfare and are adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. Medical Screening. Medical screening is the use of medical procedures by health professionals to sort out apparently healthy persons from those who may have a disease or abnormality. The immediate purpose is to identify persons whose health problems require diagnosis or further study. The ultimate purpose is to prevent disease, chronic illness, and disability.

.002. Eligibility. All Aid to Families with Dependent Children (AFDC), Supplemental Security Income (SSI), and Medical Assistance Only (MAO) recipients under age 21 are eligible.

.003. Approved Medical Screening Providers. Medical screening providers include local health department screening providers, Texas Department of Health Resources (TDHR) mobile teams, and other TDHR-approved medical screening providers.

.004. Primary Responsibilities of Screening Providers. The primary responsibilities of screening providers are:

(a) to conduct medical screening according to policies and procedures established by the Department of Public Welfare (DPW) and TDHR;

(b) to provide clinic surroundings which will establish a good relationship between clinic personnel and the recipient and his or her family;

(c) to be familiar with the medical care identification card and the medical assistance record book;

(d) to interpret medical screening results to the parent and/or recipient during the exit interview;

(e) to interpret medical screening results to the assigned Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) worker at the screening site. In the

event of a referral, the medical referral form will be used to explain abnormalities;

(f) to maintain a daily log of recipients screened.

.005. Cooperative Responsibilities of Screening Providers and Local DPW Personnel. The cooperative responsibilities of screening providers and local DPW personnel are:

(a) to jointly select screening sites convenient to the EPSDT Medicaid-eligible population;

(b) to determine the days and hours screening will be conducted at each site;

(c) to determine the number of recipients who will be screened per day and/or per week;

(d) to notify concerned personnel as soon as possible in the event of a change or cancellation of scheduling;

(e) to see that all items on the report of medical history and screening and the medical referral are completed as accurately and completely as possible; and

(f) to provide information to females known to have begun menses or for any person expressing an interest in family planning or indicating a need for such medical or social/educational services. Discussion will be initiated about the availability and benefits of family planning services, annual physical exam, lab tests, counseling education, and contraceptive method of their choice.

.006. Primary Responsibilities of DPW. The primary responsibilities of DPW are:

(a) to identify and inform eligible recipients of the medical screening program;

(b) to make appropriate referrals to the medical screening clinics;

(c) to remove barriers that would prevent the recipients' use of medical screening services;

(d) to maintain a DPW representative at all screening sites during hours of operation; and

(e) to maintain effective follow-up of referrals for diagnosis/treatment.

.007. Medical Screening Procedures.

(a) Screening procedures for each person are done by competent professionals and their assistants. Children should be accompanied by one or both parents, a guardian, or other responsible adult.

(b) Clinic procedure should follow the most logical sequence afforded by the physical environment.

.008. Referrals for Diagnosis and Treatment.

(a) All referrals for medical diagnosis and treatment, including emergencies, are made on the medical referral.

(b) Emergency referrals for diagnosis and treatment are initiated at the point of medical screening. The reason for referral is explained by the screening staff to the parent and the DPW representative at the screening site.

(c) All other referrals for diagnosis and treatment occur after receipt of laboratory work and review of the report of medical history and screening by the reviewing physician. The EPSDT follow-up worker is responsible for explaining to the parent the reason for referral.

.009. Responsibilities of EPSDT Outreach Workers.

The responsibilities of EPSDT outreach workers are:

(a) to identify persons eligible for EPSDT services;

(b) to inform eligible recipients of the availability and desirability of these services and to advise them when and where these services can be obtained. This includes informing eligible recipients who are currently receiving services in other DPW programs (DPW-VR, WIN, protective services) and agencies providing services through a purchase of service contract (day care centers). Methods to inform eligible recipients include:

(1) face-to-face interviews;

(2) telephone contacts;

(3) letters or brochures; and

(4) presentations through the use of slide/sound media and turn-over books to families or other groups of eligibles;

(c) to provide individual group counseling to help remove barriers preventing recipients from obtaining EPSDT screening services by interpreting the program and stressing the benefits;

(d) to determine the basis for recipient reluctance to use the screening service, such as lack of transportation, child care problems, fear of medical screening procedures, or pressing financial or personal problems;

(e) to assist the recipient in removing any barriers to EPSDT medical screening by arranging for transportation, assisting the recipient to arrange for babysitters, or accompanying the recipient to the screening center. The worker serves as a liaison when needed between recipients and the screening centers;

(f) to facilitate the recipient's preparation for the screening service by:

(1) scheduling appointments;

(2) completing necessary forms, including parts of the report of medical history and screening and the authorization to release medical information;

(3) obtaining previous health records, especially immunization records, current medical care identification card, and medical assistance record book, and reminding recipients to take these health records with them to the screening clinic;

(4) ensuring that recipients are eligible for services and verifying the recipient's Medicaid eligibility for the current month if the recipient does not have a current medical care identification card; and

(5) encouraging the recipient to ask questions of the screening provider staff and to describe in his own words any health concerns;

(g) to determine if a recipient kept screening ap-

pointment. This is confirmed by receipt of a copy of a completed report of medical history and screening;

(h) to follow up on missed appointments;

(i) to reschedule screening appointments, when necessary; and

(j) to enhance collaboration with family planning services, EPSDT field staff will mention the availability of family planning services at every interview with appropriate recipients.

.010. Confidentiality of Records. Confidentiality of records is maintained on behalf of all recipients. The recipient's written permission for release of information is required in order to share the screening results with other persons. The screening results are only available to authorized persons and are only presented after receipt of a properly completed authorization to release medical information.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764612 Raymond W. Vowell
Commissioner
State Department of Public
Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.

Medical Diagnosis and Treatment 326.39.32

The Department of Public Welfare has adopted Rules 326.39.32.001-.004 as proposed in the June 29, 1976, issue of the *Texas Register*.

Two comments were received regarding the Early and Periodic Screening, Diagnosis, and Treatment rules. One comment suggested a change in a rule which has been repealed; the other comment was determined to be inconsistent with the purposes of the program. Minor changes have been made in this subcategory for clarification.

These rules have been approved by the State Board of Public Welfare and are adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. Medical Diagnosis.

(a) Diagnosis combines the use of health histories; physical, developmental, and psychological examinations; laboratory tests; and X-rays to determine the nature or cause of physical or mental disease or abnormality. Diagnosis has two purposes:

(1) to confirm the positive results of screening tests and to detect false positive results; and

(2) to develop a plan for treating the disease or abnormality.

(b) Treatment is the use of physicians' services, optometrists' services, X-ray and radiation therapy, rehabilitative therapy, drugs, medicines, vaccines, eyeglasses, hearing aids, and prosthetic devices in remedying the patient's disease or abnormality identified by screening and confirmed by diagnostic procedures.

.002. Provider Resources.

(a) A wide range of public and private resources provide follow-up diagnostic and treatment services. Many of these services are covered by the Texas Medical Assistance Program. In some instances, it might be necessary to find other community resources. The following resources are available to meet the indicated needs of eligible persons under age 21:

(1) Hearing aids. The county health department accepts applications for eligible recipients who may need hearing aids. Where a county health department is not available, a written request in letter form should be submitted to the Texas Department of Health Resources, Division of Maternal and Child Health.

(2) Eyeglasses. Eligible recipients who need eyeglasses may be referred to any supplier of glasses (of their choice) who is a participant in the Texas Medical Assistance vendor program. When a recipient's need for glasses does not coincide with the eligibility periodic schedule, other community resources, such as the Lions Club, should be sought.

(3) Prosthetic devices. The Texas Department of Health Resources, Crippled Children's Division, accepts applications for eligible recipients who need various prosthetic devices.

(4) Mental health and mental retardation (MH/MR) services. Eligible recipients who need services related to mental health and/or mental retardation should be referred to local MH/MR centers.

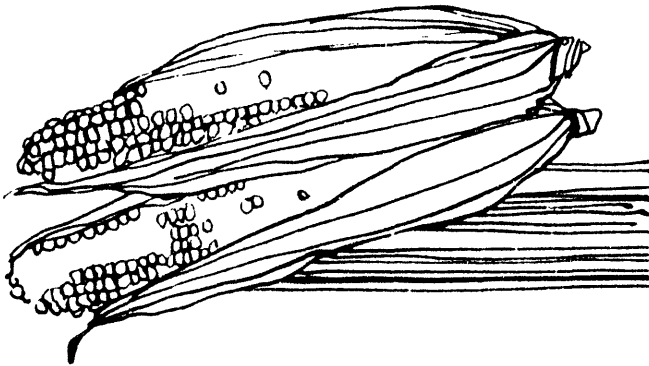
(5) Family planning. Recipients interested in family planning should be referred to the doctor or provider of their choice who provides Title XIX family planning services.

(6) Services for the blind. Eligible recipients needing services for the blind should be referred to the nearest district office of the Texas Commission for the Blind.

(b) Workers should take measures to ensure that eligible recipients are linked with resources to meet their requests and medical needs from the beginning of the referral process. This process also requires follow-up to determine if services were delivered and to help remove any barriers to the recipient's use of available resources.

.003. Responsibilities of EPSDT Follow-Up Workers. Responsibilities of Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) follow-up workers are:

(a) to determine if a recipient who has been through the EPSDT screening process has been referred for diagnosis and treatment, as confirmed by receipt of a copy of the medical referral;



(b) to ensure that recipients desiring family planning services are referred to the family planning provider of their choice;

(c) to assist the recipient in identifying appropriate medical resources for diagnosis and treatment. This includes, as needed, arranging appointments, identifying physicians and medical resources who are Medicaid providers;

(d) to assist the recipient in removing any barriers to EPSDT medical referral for diagnostic and treatment services by arranging for transportation, assisting the client in planning for child care, or accompanying the client to the diagnostic or treatment facility. The worker serves as a liaison, when needed, between the recipient and the medical personnel;

(e) to ensure that the physician or medical resource is given a copy of the report of medical history and screening and a medical referral;

(f) to maintain a manual control system to:

(1) identify recipients in the caseload who have been referred for diagnostic or treatment service;

(2) identify recipients for whom no medical referral has been received from the provider within a reasonable time after the appointment date; and

(3) document follow-up services-- the documentation should show whether or not the individual received services. If he or she did not receive services, document follow-up efforts.

Follow-up on missed appointments (for screening and diagnosis/treatment) is more effective if the recipient is contacted within 48 hours of the missed appointment. The recipient is more likely to keep the next appointment. Therefore, the worker should act within two days to determine whether the recipient has kept scheduled screening and/or treatment appointments;

(g) to follow up if the recipient did not receive the scheduled diagnosis and treatment by contacting the in-

dividual to determine the reason. The worker assists, as needed, in rescheduling appointments;

(h) to ensure that treatment recommendations are carried out and continuity of treatment is maintained; and

(i) to be available (when possible) for the exit interview at screening site.

.004. DPW/TDHR Follow-Up on Immunization Referral. The Texas Department of Health Resources (TDHR) has primary responsibility for follow-up on recipients' referral for immunization as the result of screening. However, EPSDT workers should coordinate their follow-up on referrals for treatment/diagnosis to reinforce THDR's efforts to ensure that recipients receive this preventive care.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764613 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.

Eligibility for Dental Services 326.39.42

This rule has been approved by the State Board of Public Welfare and is adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. Eligibility Requirements. Medicaid recipients under 21 years of age who hold a current Medical Care Identification Card and have obtained an approved Request for Dental Services are eligible for routine dental services.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764614 Raymond W. Vowell
 Commissioner
 State Department of Public
 Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.

Dental Providers 326.39.43

These rules have been approved by the State Board of Public Welfare and are adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. Approved Dental Providers. Dental providers include:

(a) licensed private dentists in Texas who have established a provider relationship with the Texas Depart-

ment of Health Resources (TDHR) under the Title XIX Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Dental Program;

(b) local public health dental clinics with established provider relationships with TDHR under the Title XIX EPSDT Dental Program; and

(c) TDHR mobile dental units staffed by TDHR dentists and assistants.

.002. Referrals.

(a) Recipients may need to be referred to another provider for one or more of the following reasons:

(1) treatment by a specialist is indicated, i.e., periodontist, pedodontist, oral surgeon, endodontist;

(2) the recipient prefers a provider nearer to his home or place of employment;

(3) the provider does not want to continue treatment with this particular recipient because of no-shows, personality conflict, or no appointment time available; or

(4) the recipient does not want to continue treatment with the provider because of conflicts with the provider office.

(b) Referrals must be instigated by the referring provider. If arrangements have been made with a specific specialist, the referring provider notes on his initial exam invoice the name of the specialist and a brief reason for the referral. The referring provider then sends his initial invoice to EPSDT Dental Program, Texas Department of Health Resources, for payment.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764615 Raymond W. Vowell
Commissioner
State Department of Public
Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.

Dental Program Responsibilities 326.39.45

These rules have been approved by the State Board of Public Welfare and are adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. Responsibilities of TDHR. The responsibilities of the Texas Department of Health Resources (TDHR) are:

(a) to maintain a current list of participating dentists for each county to be sent to local Department of Public Welfare (DPW) offices;

(b) to process requests for dental services and return them to local DPW offices;

(c) to process all dental invoices for payment to providers;

(d) to authorize dental treatment plans submitted by providers for prior approval; and

(e) to advise providers of Title XIX policies and procedures through the Title XIX Dental Program manual for Providers of Service.

.002. Responsibilities of EPSDT Workers. Responsibilities of Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) workers are:

(a) to identify Medicaid recipients who are eligible for EPSDT dental services;

(b) to inform eligible recipients of the availability and desirability of these services and to advise them when and where these services can be obtained. Informing eligible recipients of EPSDT dental services should be done when the recipient is informed of EPSDT medical screening services;

(c) to provide individual or group counseling, interpreting the program, and stressing the benefits of dental services;

(d) to determine the basis for recipient reluctance to use the dental services, such as lack of transportation, child care problems, fear of dental treatment, or pressing personal problems;

(e) to initiate dental services for eligible individuals by submitting a request for dental services to the Texas Department of Health Resources;

(f) upon receipt of an approved request card:

(1) to inform the recipient of the names and locations of the dental providers offering EPSDT dental services;

(2) to make dental appointments directly with the dentist of the recipient's choice;

(3) to assist in removing barriers to EPSDT dental service by arranging for transportation, assisting in planning for babysitters, or accompanying recipients to the dentist;

(4) to arrange for the recipient to have an approved request card to show the dental provider;

(5) to remind the recipient to have a medical care identification card and a Texas Medical Assistance Record to take to the dentist's office for verification of eligibility and recording of treatment received; and

(6) to serve as liaison, when needed, between recipients and the dental provider;

(g) upon receipt of a disapproved request card, to arrange for the recipient to receive the card and to provide further explanation when necessary. There are three reasons for disapproval:

(1) the recipient is not currently eligible for Medicaid;

(2) the recipient is over 21 years of age; and

(3) the recipient has received routine dental services in the past 12 months;

(h) to inform eligible recipients with dental emergencies to go directly to participating dentists. Emergency dental treatment to relieve pain does not require prior authorization. A medical care identification card must be presented, however;

(i) to assist in the rescheduling of dental appointments; and

(j) to assist in arranging for appointments for continued treatment.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764616 Raymond W. Vowell
Commissioner
State Department of Public
Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601

Dental Utilization Review 326.39.62

These rules have been approved by the State Board of Public Welfare and are adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. Purpose. The Title XIX Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) dental program is required by federal regulations to conduct a utilization review of dental providers. The utilization review is defined as an oral examination to verify that quality dental services were rendered as claimed by providers.

.003. Notification of DPW Field Staff.

(a) A schedule of utilization reviews and lists of patients to be examined are provided EPSDT coordinators approximately one month in advance of the review date. EPSDT workers participate in these reviews by arranging for the selected recipients to be at the review sites. The importance of these reviews cannot be overemphasized, and EPSDT workers should make every effort to ensure that recipients are available.

(b) The names of the recipients and the names of the providers selected for review are considered confidential information to be shared only with authorized persons (persons involved in the review and those responsible for its success).

.004. Method of Review. The review team is headed by a dentist working under the Title XIX EPSDT dental program. A Title XIX mobile dental unit is normally used as the review facility. Recipients of those providers undergoing a review are selected at random by the Title XIX Utilization Review Section and are examined against claims paid. The review is normally conducted during the hours 8:30-11:30 a.m. and 1-4 p.m., with approximately 10 minutes allotted for each recipient.

.005. Coordination. The coordination of review activities regarding times and locations will be carried out several weeks prior to the scheduled review by the Title XIX EPSDT dental program offices and/or the public health dentist, public health region, Texas Department of

Health Resources (TDHR), in collaboration with the local DPW office.

.006. Staff Location. The first consideration in selecting a review site is to locate the review van for the convenience of the recipients and the EPSDT workers. Other considerations include a flat paved surface and waiting room facilities in the event of inclement weather. Electrical power and water hook-up are not required by the review van.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764617 Raymond W. Vowell
Commissioner
State Department of Public
Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.

Mobile Dental Units 326.39.64

These rules have been approved by the State Board of Public Welfare and are adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. Request for Mobile Dental Unit. The Texas Department of Health Resources (TDHR) has three dental units available for use on a request basis only. To justify the use of the mobile dental teams and to establish priorities among the requests received, the following information is normally required:

(a) the current number of eligible individuals within the county or city who are under age 21 and who have not received routine dental services within the past 12 months;

(b) the total number expected to be treated during the time requested;

(c) the dates that the mobile dental unit is desired by location, including street address, etc. If there is a time period during which use of a mobile unit would be impractical or inconvenient, indicate this as well;

(d) names, addresses, and telephone numbers of department personnel coordinating the operation at each location;

(e) the names and addresses of all dentists in the county (if any) who are currently participating in the EPSDT program and an estimate of the amount of provider time available in relationship to clients to be served;

(f) assurance that the team can be fully supported and kept busy by outreach and follow-up efforts for the duration of the visit; and

(g) verification that adequate waiting room facilities are available at the location selected for the dental van.

All requests should be submitted to the EPSDT Program Manager, Medical Services Specialties, State Office.

.002. Concept of Mobile Dental Units. The mobile dental unit is a complete dental office on wheels designed to bring dental teams to remote areas of Texas. Mobile dental units provide comprehensive dental treatment in areas where there are no participating dentists and where providers agree the workload is greater than they can handle. Since the unit is entirely self-contained, it can operate without water or electrical connections from the local site. The fulltime staff includes a licensed dentist and two certified dental assistants, one serving as the chairside assistant, while the other provides oral hygiene instruction to the patients.

.003. Coordinating Use of Mobile Dental Units.

(a) TDHR dental personnel will assist with the coordination at the local level for all approved requests. TDHR personnel will also obtain permission for the use of the mobile dental unit from any providers located in that county. Experience has indicated that three weeks is the maximum effective period at any one site.

(b) Mobile dental units provide an important part of the dental program services. In many isolated areas there is no other way to provide dental care for eligible recipients. Mobile dental unit activities must be properly coordinated among Department of Public Welfare (DPW) personnel, recipients, and team members in order to keep operating costs at an acceptable level. Each person involved in the operation has a personal responsibility for its success.

.004. EPSDT Worker's Support of Mobile Dental Unit.

(a) EPSDT workers are responsible for outreach and follow-up services in support of the mobile dental unit. Workers are responsible for determining the recipients' eligibility. The same eligibility criteria apply to recipients at a mobile dental unit as any other dental provider.

(b) The Request for Dental Services postcard is not used for recipients served by the mobile dental unit.

(c) Workers will ensure that outreach and follow-up efforts will keep the mobile dental unit busy for the duration of the visit. The mobile dental unit begins its services by doing dental screening and examination. The

number of recipients and daily scheduling for the dental treatment phase will be determined cooperatively by the mobile dental treatment staff, the recipient, and the EPSDT worker.

Issued in Austin, Texas, on September 1, 1976.

Doc No. 764618 Raymond W. Vowell
Commissioner
State Department of Public
Welfare

Effective Date: September 21, 1976

For further information please call (512) 475 4601.

Medical Assistance Programs

Support Documents 326.46.99

The Department of Public Welfare adopts the amendment to Rule 326.46.99.001 as proposed in the July 6, 1976, issue of the *Texas Register*. This amendment extends the benefits of chiropractic services to all Title XIX recipients. No comments were received.

This amendment has been approved by the State Board of Public Welfare and is adopted under the authority of Articles 695c and 695j-1, Texas Civil Statutes.

.001. Texas State Plan for Medical Assistance. The Department of Public Welfare adopts by reference the rules contained in the *Texas State Plan for Medical Assistance* under Title XIX of the Social Security Act, with the exception of Amendment 12, as amended in June, 1976.

Issued in Austin, Texas, on September 1, 1976.

Doc. No. 764619 Raymond W. Vowell
Commissioner
State Department of Public
Welfare

Effective Date: September 21, 1976

For further information, please call (512) 475-4601.

The Open Meetings Act (Article 6252-17, Texas Civil Statutes) requires that an agency with statewide jurisdiction have notice posted for at least seven days before the day of a meeting. A political subdivision covering all or part of four or more counties, or an institution of higher education, must have notice posted for at least 72 hours before the scheduled meeting time. Notice of an emergency meeting or an emergency addition or amendment to an agenda must be posted for at least two hours before the meeting is convened. Although some notices may be received and filed too late for publication before the meetings are held, all filed notices will be published in the *Register*. Each notice published includes the date and time of filing. Notices are posted on the bulletin board outside the offices of the Secretary of State on the first floor in the East Wing of the State Capitol.

Employees Retirement System of Texas

Meeting

A meeting of the Group Insurance Advisory Committee of the Employees Retirement System of Texas will be held on Wednesday, September 15, 1976, 10 a.m., at 1705 San Jacinto, Austin, to elect officers and to plan activities for the coming year.

Additional information may be obtained from Everett L. Anschutz, P.O. Box 12337, Austin, Texas 78711, telephone (512) 476-6431.

Filed: September 3, 1976, 12:49 p.m.

Doc. No. 764664

Texas Department of Health Resources

Meeting

A meeting of the Board of Health Resources of the Texas Department of Health Resources will be held on Saturday, September 11, 1976, 9:30 a.m., in the board room, 1100 West 49th Street, Austin. The agenda includes consideration of the director's report; program and region reviews; the legislative program; regional medical program; the Title XIX programs operated under contract with the Department of Public Welfare; proposed rules and regulations for Crippled Children's Services Program; committee reports; and appointments to Sanitarian Advisory Committee.

Additional information may be obtained from Raymond T. Moore, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 454-3781, extension 200.

Filed: September 2, 1976, 4:20 p.m.

Doc. No. 764639

Hearing

A hearing by the Nursing and Convalescent Homes Division of the Texas Department of Health Resources will be held on Thursday, September 23, 1976, 10:30 a.m., at the San Antonio Metropolitan Health District Health Education Building, 2315 Buena Vista, San Antonio, to consider denial of a permit to Skyview Living Center, Inc., San Antonio, for a permit to operate a convalescent and nursing home to be located at 4703 Goldfield, San Antonio.

Additional information may be obtained from John T. Richards, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 454-3781, extension 224.

Filed: September 2, 1976, 4:21 p.m.

Doc. No. 764640

Hearing

A hearing by the Texas Department of Health Resources will be held on Tuesday, September 28, 1976, 10 a.m., at the Hays County Civic Center, San Marcos, to consider the application of the Cities of Kyle and Buda to locate a proposed Type II solid waste disposal site in Hays County, on the southeast side of a county road approximately 2.5 miles east of IH 35, five miles northeast of Kyle, and eight-tenths mile due west of Goforth. The site consists of approximately 100 acres of land, and is to receive approximately six tons of municipal solid waste a day.

Additional information may be obtained from Jack C. Carmichael, 1100 West 49th Street, Austin, Texas 78756, telephone (512) 454-3781, extension 258.

Filed: September 2, 1976, 4:21 p.m.

Doc. No. 764641

Texas Judicial Council Meeting

A meeting of the Texas Judicial Council will be held on Friday, September 17, 1976, 10 a.m., Suite 312, 308 West 15th Street, Austin, to discuss suggested changes to rules of civil procedure, proposed codification of judicial statutes, court administration, council financing, and other council business.

Additional information may be obtained from C. Raymond Judice, Suite 312, 308 West 15th Street, Austin, Texas 78701, telephone (512) 475-2421.

Filed: September 3, 1976, 12:22 p.m.

Doc. No. 764663

Board of Landscape Architects

Change of Location

The Board of Landscape Architects will meet on Thursday September 16, 1976, 11 a.m., at 11827 Judd Court, Dallas. The meeting originally was to have been conducted at the Dallas Hilton Hotel, 5600 North Central Expressway, at 4 p.m.

For further information, contact Kathryn Mitchell, 320 Sam Houston Building, Austin, Texas 78701, telephone (512) 475-3252.

Filed: September 2, 1976, 3:45 p.m.

Doc. No. 764636

Texas Parks and Wildlife Department

Meeting

A meeting of the Fisheries Division/Environmental Branch of the Texas Parks and Wildlife Department will be held on Tuesday, September 28, 1976, 2 p.m., in Room 100 of the John H. Reagan Building, Austin, to discuss the application of Parker Brothers and Company, Inc., Houston, to dredge sand from the Trinity River from mile 17 to mile 45 in Chambers and Liberty Counties.

Additional information may be obtained from C. E. Sharp, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-4471.

Filed: September 3, 1976, 12:25 p.m.

Doc. No. 764662

State Department of Public Welfare

Meeting

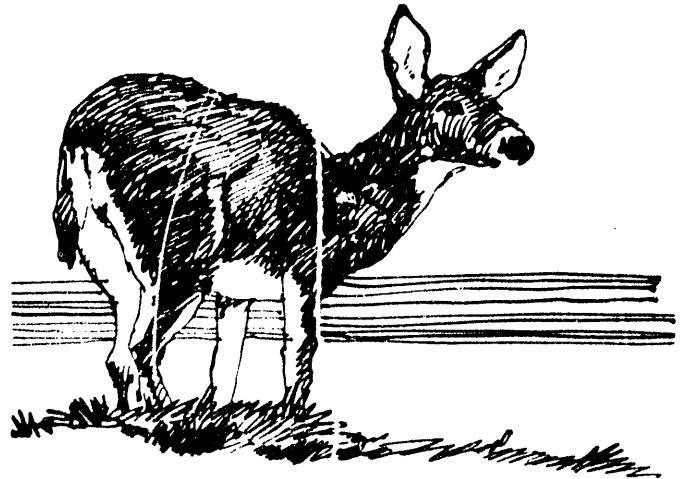
A meeting of the State Board of Public Welfare of the State Department of Public Welfare will be held on Friday, September 10, 1976, 2 p.m., in Room 105, John H.

Reagan Building, Austin. The board will consider approval of Title XX Comprehensive Annual Services Program Plan; approval of unit rates for day care services; the status of purchased health services contract; and the approval of technical amendments to program policies and procedures previously published in the *Texas Register*.

Additional information may be obtained from William Woods, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-6297.

Filed: September 2, 1976

Doc. No. 764635



Railroad Commission of Texas

Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting the Oil and Gas Division of the Railroad Commission of Texas to be held on Tuesday, September 7, 1976, 9 a.m., at the E.O. Thompson Building, 10th and Colorado Streets, Austin. The addition is the consideration of an application by Charity Exploration and Production for an exception to Statewide Rule 8, CMR (Grayburg) Field, Upton County.

Additional information may be obtained from A. H. Barbeck, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-3003.

Filed: September 3, 1976, 11:41 a.m.

Doc. No. 764653

Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting the Transportation Division of the Railroad Commission of Texas to be held on Tuesday, September 7, 1976, 9 a.m., at the E. O. Thompson Building, 10th and Colorado Streets, Austin. The addition is the consideration of uncontested public convenience and necessity applications and uncontested rate applications.

Additional information may be obtained from Meiling Newman, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-3207.

Filed: September 3, 1976, 11:41 a.m.

Doc. No. 764654

Meeting

A meeting of the Transportation Division of the Railroad Commission of Texas will be held on Monday, September 13, 1976, 9 a.m., at the Ernest O. Thompson Building, 10th and Colorado, Austin, to consider contested and uncontested applications concerning authority and rates. The complete agenda is posted in the East Wing of the State Capitol.

Additional information may be obtained from Meiling Newman, P.O. Box 12967, Capitol Station, Austin, Texas 78711, telephone (512) 475-3207.

Filed: September 3, 1976, 11:41 a.m.

Doc. No. 764655

Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the Oil and Gas Division of the Railroad Commission of Texas to be held on Monday, September 13, 1976, 9 a.m., at the E. O. Thompson Building, 10th and Colorado, Austin. The agenda will include the application of Keith D. Graham for a Rule 37 case, Taylor County Regular Field, Taylor County.

Additional information may be obtained from A. H. Barbeck, P.O. Box 12967, Capitol Station, Austin, Texas 78711, telephone (512) 475-3003.

Filed: September 3, 1976, 11:43 a.m.

Doc. No. 764656

Hearing

A hearing by the Gas Utilities Division of the Railroad Commission of Texas will be held on Tuesday, September 21, 1976, 9:30 a.m., in the 10th floor conference room, E.

O. Thompson Building, 10th and Colorado Streets, Austin, to hear oral argument in Docket 628.

Additional information may be obtained from Rex H. White, Jr., P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-4686.

Filed: September 3, 1976, 11:42 a.m.

Doc. No. 764660

Meeting

A meeting of the Gas Utilities Division of the Railroad Commission of Texas will be held on Tuesday, September 14, 1976, 9 a.m., at the E. O. Thompson Building, 10th and Colorado, Austin, to consider a final order on the application of Suntime Refining Company.

Additional information may be obtained from Frank Youngblood, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-2747.

Filed: September 3, 1976, 11:42 a.m.

Doc. No. 764657

Hearing

The Oil and Gas Division of the Railroad Commission of Texas will conduct a statewide oil and gas hearing on Thursday, September 16, 1976, 10 a.m., at the Austin Hilton Inn, Austin, to consider and hear evidence relating to conservation and prevention of waste of crude petroleum and natural gas, and the production, storage, transportation, refining, reclaiming, treating, marketing, or processing of crude oil and/or natural gas, and the purchase, sale, transportation, and handling of crude oil and natural gas and all products, by-products, and derivatives thereof in the State of Texas.

Additional information may be obtained from Bob R. Harris, P.O. Box 12967, Capitol Station, Austin, Texas 78711, telephone (512) 475-4519.

Filed: September 3, 1976, 11:43 a.m.

Doc. No. 764658

Meeting

A meeting of the Oil and Gas Division of the Railroad Commission of Texas will be held on Monday, September 20, 1976, 9 a.m., at the E. O. Thompson Building, 10th and Colorado Streets, Austin, to consider 35 applications for hearings and 81 administrative applications.

Additional information may be obtained from A. H. Barbeck, P.O. Drawer 12967, Austin, Texas 78711, telephone (512) 475-3003.

Filed: September 3, 1976, 11:43 a.m.

Doc. No. 764659

Teacher Retirement System of Texas

Emergency Addition to Agenda

An emergency addition was made to the agenda of a meeting of the Board of Trustees of the Teacher Retirement System of Texas to be held on Friday, September 10, 1976, 10 a.m. on the 4th floor, 1901 Trinity, Austin. The addition is the consideration by appeals of Robert A. Jenkins and Ray S. Marshall.

Additional information may be obtained from Shari Cooper, 1001 Trinity, Austin, Texas 78701, telephone (512) 477-9711, extension 201.

Filed: September 3, 1976, 11:05 a.m.

Doc. No. 764648

Texas Water Rights Commission

Meeting

The Texas Water Rights Commission will meet on Monday, September 13, 1976, 10 a.m., at 1700 North Congress, Austin. The subject of the meeting include applications for bond approval from several utility districts; permit applications; setting of hearing dates; consideration of final adoption of commission rules pertaining to public meeting procedures and to conferences before and during hearings; and consideration of water districts failing to file audits. The complete agenda is posted in the East Wing of the State Capitol.

Further information concerning this meeting may be obtained from Mary Ann Hefner, P.O. Box 13207, Austin, Texas 78711, telephone (512) 475-4514.

Filed: September 2, 1976, 4:03 p.m.

Doc. No. 764638

Hearing

A hearing by the Texas Water Rights Commission will be held on Tuesday, October 19, 1976, 10 a.m., at the Stephen F. Austin Building, 1700 North Congress, Austin, to consider Troyat Underwood, Application 3650; Walter F. Phillips, Application 3648; Champion International Corporation Application 3649; and Johnny Poyner, Application 3651.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13207, Austin, Texas 78711, telephone (512) 475-4514.

Filed: September 3, 1976, 11:24 a.m.

Doc. No. 764649

Hearing

A hearing by the Texas Water Rights Commission will be held on Friday, October 22, 1976, 10 a.m., at the Stephen F. Austin Building, 1700 North Congress, Austin, to consider J. L. Brooks, *et al.*, Application 3654; Sam Houston Area Council, Application 3653; and Truman Elwell, Application 3655.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13207, Austin, Texas 78711, telephone (512) 475-4514.

Filed: September 3, 1976, 11:25 a.m.

Doc. No. 764650

Hearing

A hearing by the Texas Water Rights Commission will be held on Friday, November 5, 1976, 10 a.m., at the Stephen F. Austin Building, 1700 North Congress, Austin, to consider Dan L. Duncan, Application 3652.

Additional information may be obtained from Mary Ann Hefner, P.O. Box 13207, Austin, Texas 78711, telephone (512) 475-4514.

Filed: September 3, 1976, 11:25 a.m.

Doc. No. 764651

State Department of Public Welfare

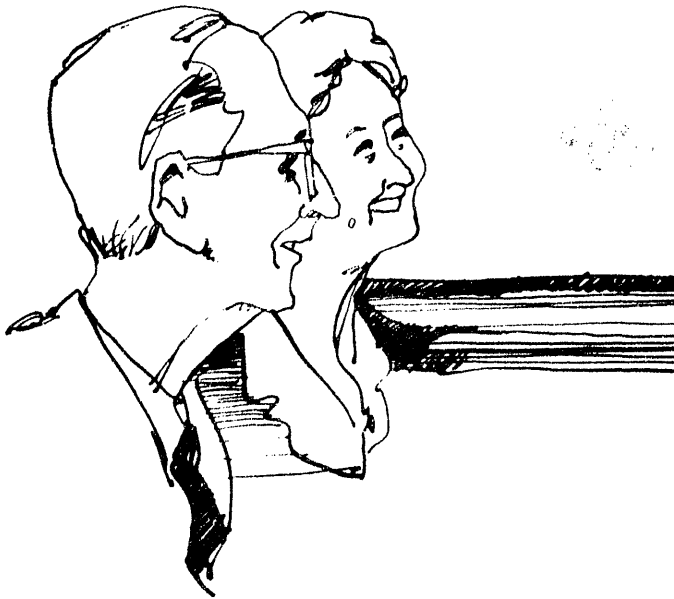
Public Hearing

The Medical Programs Division of the State Department of Public Welfare will conduct a public hearing on proposed pharmacy services rules on Thursday, September 16, 1976, 2 p.m., in Room 411, John H. Reagan Building, 15th and Congress, Austin. The proposed rules were published in the August 31, 1976, issue of the *Texas Register* (Volume 1, Number 68).

Additional information may be obtained from Susan L. Johnson, John H. Reagan Building, Austin, Texas 78701, telephone (512) 475-4601.

Filed: September 1, 1976, 4:51 p.m.

Doc. No. 764620



Texas Water Quality Board

Continuing Planning Process

San Jacinto River Authority

The Continuing Planning Process has been prepared by the Texas Water Quality Board pursuant to Sections 208 and 303(e) of the Federal Water Pollution Control Act, as amended. This process charges the San Jacinto River Authority with certain specified water quality management planning responsibilities in the San Jacinto Basin. The Texas Water Quality Board, in a coordinated effort with the San Jacinto River Authority, has developed a Work Task Outline for the San Jacinto Basin. It has been jointly decided that certain of these work elements can best be accomplished by a consultant.

On behalf of the San Jacinto River Authority, the Texas Water Quality Board is currently requesting proposals from any interested consultants. The proposals are required by October 1, 1976, and selection of a contractor will take place after that date. Inquiries concerning this proposal, including requests for additional information, can be made by contacting Randy Baylor, Administrative Operations Division, P.O. Box 13246, Capitol Station, Austin, Texas 78711, telephone (512) 475-3454.

Copies of the Continuing Planning Process and/or the Work Task Outline for the San Jacinto Basin are available for inspection in the offices of the Texas Water Quality Board as well as in the offices of the San Jacinto River Authority, P.O. Box 329, Conroe, Texas 77301.

Payment for services pursuant to the proposed contract will be funded in part by a planning grant from the Environmental Protection Agency to the Texas Water Quality Board. Execution of the contract between the selected contractor and the San Jacinto River Authority is dependent upon prior approval by EPA of a presently proposed contract between the TWQB and the SJRA, EPA audit of the proposed contractor/SJRA contract, and TWQB approval of the proposed contractor/SJRA contract.

Filed: September 2, 1976, 11:58 a.m.

Doc. No. 764634