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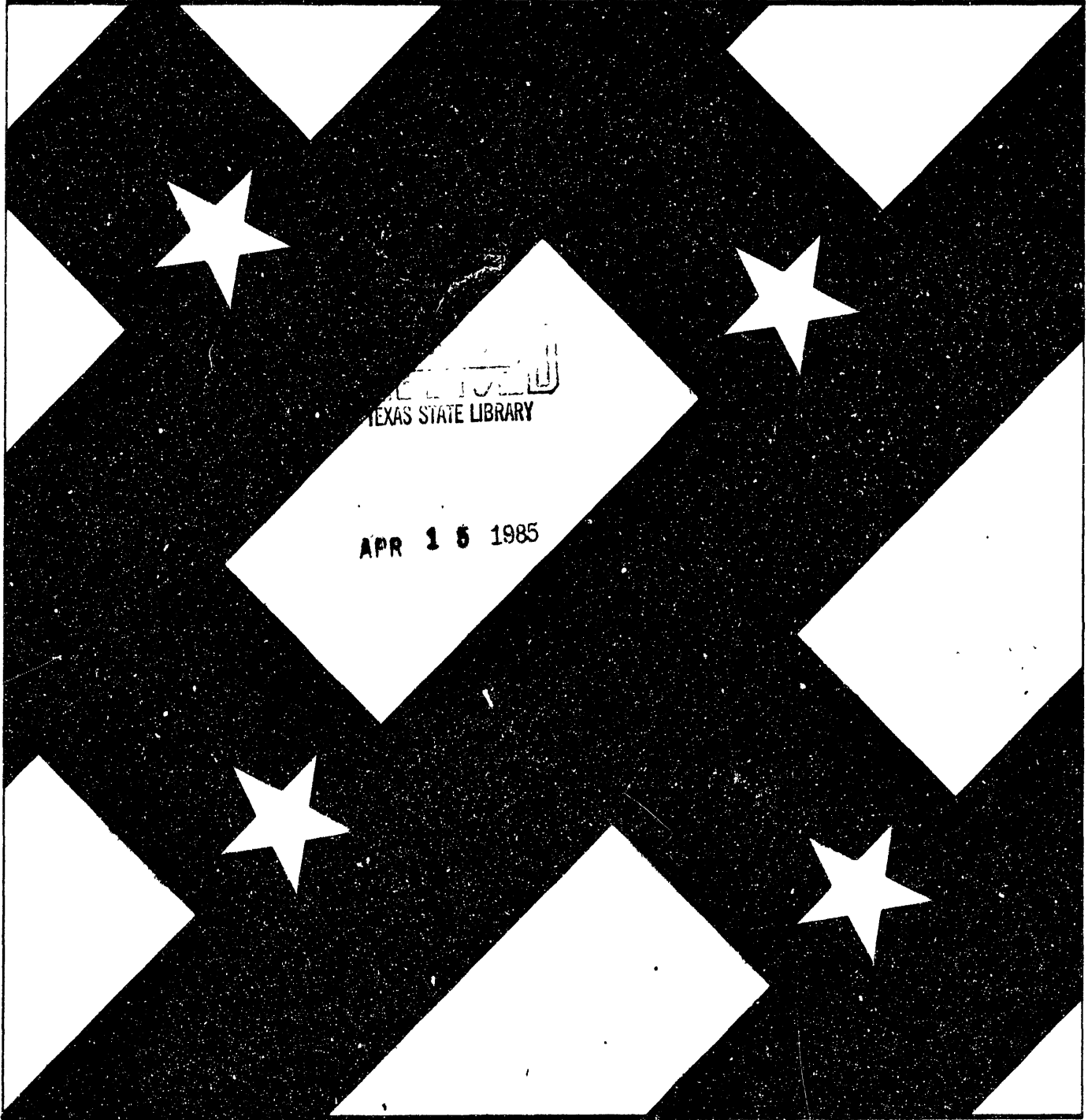
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Texas Register

Volume 10, Number 29, April 12, 1985

Pages 1197 - 1220



Highlights

The **Texas Department of Human Resources** proposes new sections concerning placement of children into emergency shelter care. Earliest possible date of adoption - May 13 **page 1200**

The **Texas Department on Aging** will conduct public hearings concerning the 1986-1987 state plan **page 1213**

The **Texas Department of Health** issues a cease and desist order concerning radioactive material license violations **page 1215**

**Office of
the Secretary
of State**

Texas Register

The *Texas Register* (ISN 0362-4781) is published twice each week at least 100 times a year. Issues will be published on every Tuesday and Friday in 1985 with the exception of June 25, July 9, August 30, December 3, and December 31, by the Office of the Secretary of State.

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- Governor—appointments, executive orders, and proclamations
- Secretary of State—summaries of opinions based on election laws
- State Ethics Advisory Commission—summaries of requests for opinions and opinions
- Attorney General—summaries of requests for opinions, opinions, and open records decisions
- Emergency Rules—rules adopted by state agencies on an emergency basis
- Proposed Rules—rules proposed for adoption
- Withdrawn Rules—rules withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the *Texas Register* six months after proposal publication date
- Adopted Rules—rules adopted following a 30 day public comment period
- Open Meetings—notices of open meetings
- In Addition—miscellaneous information required to be published by statute or provided as a public service

Specific explanations on the contents of each section can be found on the beginning page of the section. The division also publishes monthly, 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 "10 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 10 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, 503E Sam Houston Building, Austin. Material can be found by using *Register* indexes, the *Texas Administrative Code*, rule 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 rule is designated by a TAC number. For example, in the citation 1 TAC §27.15:

1 indicates the title under which the agency appears in the *Texas Administrative Code*,

TAC stands for the *Texas Administrative Code*,

27.15 is the section number of the rule (27 indicates that the rule is under Chapter 27 of Title 1, 15 represents the individual rule within the chapter).



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Office of the Secretary of State
P.O. Box 13824
Austin, Texas 78711-3824
512-475-7886

Myra A. McDaniel
Secretary of State

Director
Dave Harrell

Documents Section Coordinator
Jane Hooks

Document Editors
Cynthia Cooke, Phyllis Smith

Open Meetings Specialist
Roberta Knight

Production Section Coordinator
Sue Bumpous

Production Editors
Richard Salinas, Lindy Vaughan

Typographer
C. Steven Lowe

Circulation Section Coordinator
Dee Wright

Circulation Assistant
Kristine Hopkins Mohajer

TAC Editors
William Craig Howell
Hollis Glaser
Tracie L. Miller
Dennis W. Zabel

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Description of attorney general submissions. Under provisions set out in the Texas Constitution, Texas Civil Statutes (Article 4399), and numerous statutes, the attorney general is authorized to write advisory opinions for state and local officials. These advisory opinions are requested by agencies or officials when they are confronted with unique or unusually difficult legal questions. The attorney general also determines, under authority of the Texas Open Records Act, whether information requested for release from governmental agencies may be held from public disclosure. Requests for opinions, opinions, and open record decisions are summarized for publication in the Register.

Requests for Opinions

RQ-541. Request from Bill Haley, chairman, Financial Institutions Committee, House of Representatives, Austin, concerning the construction of the Public Property Finance Act, Article 2368a.2.

RQ-542. Request from Senator Oscar Mauzy, chairman, Senate Committee on Jurisprudence, Texas Senate, Austin, concerning whether national forests and federal wilderness areas are within the scope of the Natural Resources Code, Chapter 152.

RQ-543. Request from Senator Oscar Mauzy, chairman, Senate Committee on Jurisprudence, Texas Senate, Austin, concerning whether the state may provide telecommunication services to a private foundation.

RQ-544. Request from George Pierce, chairman, House Committee on Urban Affairs, House of Representatives, Austin, concerning whether a commissioners court has jurisdiction over roads within an incorporated city.

RQ-545. Request from Robert H. Norris, Texas Board of Architectural Examiners, Austin, concerning the revocation of a license to practice architecture under Texas Civil Statutes, Article 249a.

RQ-546. Request from Tim Curry, Fort Worth criminal district attorney, concerning whether a separate docket sheet in criminal cases is required.

RQ-547. Request from R. K. Procnier, director, Texas Department of Corrections, Huntsville, concerning whether Texas Civil Statutes, Article 6184f, prohibits classification of an inmate as a trusty for the purpose of Texas Civil Statutes, Article 6181-1.

RQ-548. Request from Charles F. Aycock, Parmer County attorney, Farwell,

concerning the distribution of proceeds from the permanent school fund in Parmer County.

RQ-549. Request from Patrick H. Simmons, Limestone County attorney, Groesbeck, concerning the constitutionality of Senate Bill 270, creating a special road district for Limestone County.

RQ-550. Request from F. A. Cerda, Hebbronville district attorney, concerning whether a political subdivision may designate a credit union as a depository of public funds.

RQ-551. Request from Roger D. Shipman, executive secretary, State Board of Veterinary Medical Examiners, Austin, concerning whether an individual who performs veterinary services for a governmental agency must be licensed under Texas Civil Statutes, Article 7465a.

RQ-552. Request from Henry Wade, Dallas district attorney, concerning whether a corporate surety may substitute an agent's name on a license without fulfilling the requirement of a new application for licensing.

RQ-553. Request from William S. Nail, executive director, Texas State Board of Dental Examiners, Austin, concerning the effect of the participation of an individual on a licensing board when it is subsequently determined that she was not confirmed by the Senate.

TRD-852972

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Opinion

JM-303 (RQ-419). Request from Kenneth H. Ashworth, commissioner, Coordinating

Board, Texas College and University System, Austin, concerning whether federal money received by the Hinson-Hazelwood College Student Loan Program as a lender's special allowance is subject to the provisions of the Texas Education Code, §52.17.

Summary of Opinion. Special allowances paid lenders by the federal government pursuant to the Hinson-Hazelwood Program and the federal Guaranteed Student Loan Program constitute interest on loans within the meaning of the Texas Education Code, §52.17.

TRD-852950

★ ★ ★

Open Records Decision

ORD-426 (RQ-382). Request from Kenneth Wall, Olson & Olson, Houston, concerning whether computer programs, formulas, or other methodologies used by an appraisal district to determine the value of multifamily dwellings is available to the public.

Summary of Decision. Under the trade secrets exception contained in the Open Records Act, Texas Civil Statutes, Article 6252-17a, §3(a)(10), the Harris County Appraisal District may deny a request for the computer programs, formulas, or other methodologies used by the appraisal district to determine the value of multifamily dwellings within the district. This information constitutes trade secrets of Cole-Layer-Trumble, the company with which the district contracted for data processing services.

TRD-852951

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Proposed Rules

Before an agency may permanently adopt a new or amended rule, or repeal an existing rule, a proposal detailing the action must be published in the *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 rule. Also, in the case of substantive rules, 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 rule is indicated by the use of **bold text**. [Brackets] indicate deletion of existing material within a rule.

TITLE 40. SOCIAL SERVICES AND ASSISTANCE

Part I. Texas Department of Human Resources

Chapter 83. Twenty-Four Hour Care Licensing

Subchapter A. Standards for Child-Placing Agencies (24-Hour Care and Adoption)

★40 TAC §§83.51-83.60

The Texas Department of Human Resources proposes new §§83.51-83.60, concerning placement of children into emergency shelter care. The new sections are additional standards for those child-placing agencies making placements in emergency agency homes and emergency agency group homes operated by the child placing agency. The new sections also apply to placements by child-placing agencies in independently operated emergency shelter type care. The child-placing agencies must continue to meet the standards in the minimum standards for child-placing agencies (24-hour care and adoption) with the exception of those standards listed in §83.51(b).

The new sections address requirements in the areas of reports and records, training, admission policies, intake for emergency shelter type care, foster family care, children's rights, medical and dental care, and discharge.

Cris Ros-Dukler, assistant commissioner for licensing, Licensing Branch, has determined that for the first five-year period the rules will be in effect there will be no fiscal implications for state or local government or small businesses as a result of enforcing or administering the rules.

Ms. Ros-Dukler also has determined that for each year of the first five years the rules as proposed are in effect the public benefit anticipated as a result of the rule is the elimination of variance requests for small facilities providing short-term emergency care. Standards specifically designed for emergency shelter type care in smaller facilities will also be less con-

fusing to providers. There is no anticipated economic cost to individuals required to comply with the rules as proposed.

A hearing to accept comments on the proposed rules will be held at 1:30 p.m. on Wednesday, May 15, 1985, in the boardroom, Texas Department of Human Resources, 701 West 51st Street, Austin.

Comments may be sent to Cathy Rosenberg, Administrator, Policy Development Support Division—141, Texas Department of Human Resources 153-E, P.O. Box 2960, Austin, Texas 78769, within 60 days of publication in this *Register*.

The new sections are proposed under the Human Resources Code, Title 2, Chapter 22 and Chapter 42, which authorize the department to administer public assistance and 24-hour care licensing programs.

§83.51. Placement in Emergency Shelter Type Care.

(a) Sections 83.51-83.60 apply to placements by child-placing agencies in emergency agency homes and emergency agency group homes operated by the child-placing agency and in independently operated emergency shelter type care.

(b) The following standards, minimum standards for child-placing agencies (24-hour care and adoption), are not applicable to placements in emergency shelter type care: 1400.1, 1400.4, 2300.4, 3100.1-3100.3, 3100.5, 4100.1-4100.10, 4200.1-4200.3, 4300.1-4300.5, 4400.1, 4400.2, 4500.4-4500.7, 4600.7, 4700.1-4700.8, 4800.1, and 4800.4. The child-placing agency must continue to meet all other standards in the minimum standards for child-placing agencies (24-hour care and adoption). Standards for placement in emergency shelter type care apply only to the initial emergency placement of the child. Any subsequent placement of the child must meet all minimum standards for child-placing agencies (24-hour care and adoption).

§83.52. *General Policy.* The sponsoring child-placing agency may assume responsibility for compliance with standards shown as the responsibility of the emergency agency foster family home or the emergency agency foster group home. The child-placing agency must specifically identify the

standards in its policies and must document compliance with each standard.

§83.53. Reports and Records.

(a) The child-placing agency must report immediately any serious occurrence involving a child to the managing conservator or parents, if the child-placing agency knows the managing conservator's or the parents' identity and how to contact them. The child-placing agency must document in the child's record notification of the child's parents or managing conservator. If the managing conservator or parents cannot be contacted, the child-placing agency must document this in the child's record.

(b) The child-placing agency must have written policies and procedures to be followed when a child is absent without permission from an emergency care facility operated by the agency. The child-placing agency must provide a copy of the policies and procedures to the agency emergency care facility. These must include:

(1) procedures for the agency emergency care facility to follow to notify the child-placing agency that a child is absent without permission;

(2) specific actions that agency emergency care facility staff and child-placing agency staff must take to locate the child when the child is absent without permission from an emergency agency foster family home or agency foster group home;

(3) procedures agency staff must follow to notify parents or managing conservators and the appropriate law enforcement agency. If the agency policy is to delegate any responsibility for notification to the agency emergency care facility, the agency emergency care facility must agree to this delegation of responsibility in writing.

(c) If a child is absent without permission, the child-placing agency must ensure that his absence is reported to the appropriate law enforcement agency and parents or managing conservator, if the child-placing agency knows the managing conservator's or parents' identity and how to contact them.

(1) The child-placing agency must consider the absence of a child under 10 years old (chronological or developmental age, whichever is less) as absence without permission as soon as the foster parent or staff person responsible for the child's care does not know where the child is. The child-

placing agency must consider the absence of a child 10 years old or older as absence without permission when the foster parent staff person responsible for the child's care does not know the child's whereabouts for three hours.

(2) If the child is not found within four hours after he is determined to be absent without permission, the child-placing agency must ensure that the child's absence is reported to.

(A) the managing conservator or parents if the agency knows their identity and how to contact them; and

(B) the appropriate law enforcement agency.

(3) Notification must be documented in the child's record. If the agency does not know the managing conservator's or parents' identity and how to contact them, this must be documented in the child's record.

(d) The child-placing agency must report the removal of a child by an unauthorized person to the appropriate law enforcement agency and managing conservator or parents if the child-placing agency knows the managing conservator's or the parents' identity and how to contact them. The child-placing agency must document in the child's record notification of the child's parents or managing conservator and the appropriate law enforcement agency. If the parents or managing conservator cannot be contacted, the child-placing agency must document this in the child's record.

§83.54. Training.

(a) For emergency agency foster family homes, the child-placing agency must provide at least 15 hours of inservice training annually related to children's services for each foster family unit.

(1) The child-placing agency must document inservice training for foster parents. The child-placing agency must include in the documentation the date, subject, and the name of the person who conducted the training.

(2) The child-placing agency must provide training for foster parents in helping children to cope with separation from parents and family.

(b) The child-placing agency must ensure that foster parents in agency emergency foster family homes who are not licensed/certified health professionals have first aid training. The child-placing agency must document first aid training received or scheduled and training updates for foster parents.

(1) First aid training must include cardiopulmonary resuscitation (CPR).

(2) A Red Cross instructor or a licensed/certified health professional must conduct the training.

(3) The child-placing agency must ensure that first aid training, including CPR, is kept current for foster parents.

§83.55. Admission Policies.

(a) The child-placing agency must have written admission policies which specify the age, sex, and type of children to be placed in an emergency care facility. A copy of the admission policies must be submitted to the Licensing Branch with each application for a license.

(1) The child-placing agency must meet the conditions of the license/certificate.

(2) The agency must accept for placement only those children who meet the conditions outlined in the agency's policies.

(3) If the agency adopts a change in the admission policies which requires changes in the conditions of the license, the agency must apply to the department for a new license.

(b) A child-placing agency must not knowingly place in emergency shelter type care a child who has exhibited suicidal behavior or behavior dangerous to others within 30 days before admission or retain a child in emergency shelter type care who is suicidal or dangerous unless:

(1) the physical plant or setting is such that staff can provide direct, continuous observation if necessary; and

(2) the child-placing agency has ensured that medical treatment and psychiatric consultation are available 24 hours a day from a licensed physician. The agency must obtain written documentation to substantiate that medical treatment and psychiatric care are available.

(c) A child-placing agency must not accept a child for care in an emergency care facility or retain in emergency shelter type care a child whose needs are primarily medical in nature. Children not appropriate for care in an emergency care facility are those who:

(1) are unable to swallow secretions sufficiently enough to maintain an open airway;

(2) require feeding tubes or parenteral route to sustain life;

(3) have other life-threatening conditions making them dependent on the services of others and/or mechanical supports to sustain life; or

(4) require sterile techniques or specialized procedures to promote healing; to prevent infection, cross-infection, or contamination; or to prevent breakdown of tissues.

(d) The child-placing agency must plan for and make timely and appropriate arrangements for nonemergency care for children placed in emergency care type facilities.

(1) The child-placing agency must not place a child under five years old in an emergency shelter for more than five work-days unless the child has a sibling at least five years old or a parent under 18 years old in the emergency shelter or unless the need for extension of placement is documented.

(2) The child-placing agency must not place an infant under 12 months old in an emergency shelter for more than 96 hours unless the infant has a parent under 18 years old in the emergency shelter or unless the need for extension of placement is documented.

(3) The child-placing agency must not place a child five years old or older in care in an emergency shelter for more than 30 days unless the need for extension of placement is documented.

(4) The child-placing agency must not place a child in an emergency agency foster family home, an independent emergency foster family home, an emergency agency foster group home, or an independent emergency foster group home for more than 30 days unless the need for extension of placement is documented.

(e) The child-placing agency must establish that one of the following circumstances exists before extending the placement of a child in emergency shelter type care beyond the allowed time frame:

(1) the child-placing agency has arranged a placement but requirements to place the child cannot be completed within the allowed time because of circumstances beyond the control of the child-placing agency. Documentation must include:

(A) the name, address, and telephone number of the facility where the child will be placed.

(B) the specifics of what is needed to complete the placement;

(C) the reason(s) why the requirements for placement could not be completed within the allowed time frame; and

(D) the date the placement will be completed;

(2) the child-placing agency arranged a placement, but the placement cannot be completed and another placement must be found because of circumstances beyond the control of the child-placing agency. Documentation must include:

(A) the name, address, and telephone number of the facility where the child was to be placed;

(B) the reason(s) why the placement could not be completed;

(C) the date placement plans for the child were interrupted; and

(D) the specifics, including dates, of all efforts to locate another placement;

(3) the child has special needs, and an appropriate placement within the allowed time frame cannot be made because of circumstances beyond the control of the child-placing agency. Documentation must include:

(A) description from an expert in the area of the child's disabling or limiting condition of the child's special needs and the type of placement appropriate to meet these needs; and

(B) names, addresses, and telephone numbers of placements explored, the

date of contact, and the reason why each placement was not available and/or appropriate.

(f) If the child-placing agency establishes the need for extension of placement of a child in an emergency shelter or an independent emergency foster family home or independent emergency foster group home, the emergency care facility's approval must be obtained in writing. The child-placing agency must provide the emergency care facility with a copy of the documentation that establishes the need for extension of placement.

(g) If a child remains in emergency care for 14 days, the child-placing agency must formulate a plan in writing for discharge of the child from emergency care. The child-placing agency must review and update the plan in writing at least weekly.

(1) When a child is admitted to an emergency care facility not operated under the auspices of the child-placing agency, child-placing agency staff must discuss the discharge plan with the emergency care facility. Staff must confer at least weekly to review and update the discharge plan.

(2) A copy of the discharge plan must be provided to emergency care facilities not operated under the auspices of the child-placing agency by the 14th day of the child's stay in the facility. A copy of the first review and update of the discharge plan must be provided to the emergency care facility within seven days of the date of the initial discharge plan and within every seventh day thereafter of the child's stay in the emergency care facility.

(3) The child-placing agency must document in the child's record the discharge plan and the weekly review(s) and update(s) of the plan.

§83.56. Intake for Emergency Shelter Type Care.

(a) At admission, child-placing agency staff must complete a record that identifies the child and his immediate needs. During admission, staff must obtain, if possible, the following information:

- (1) child's immediate needs;
- (2) name of the referral source: placing agency or individual;
- (3) date and time of placement;
- (4) reason for emergency placement;
- (5) description of the child's condition as observed by staff;
- (6) the child's understanding of emergency care placement; and
- (7) the child's feelings about the crisis situation.

(b) At admission or as soon as possible after placement, the child-placing agency must obtain the following information:

- (1) child's identity;
- (2) name, address, and telephone number of the child's parents or managing conservator, if available;
- (3) medication the child is taking;

(4) allergy to medication or food;

(5) any chronic health problems such as seizures, diabetes, hearing or sight loss, or heart condition; and

(6) medical consent form signed by a person authorized to give consent under the Texas Family Code.

(c) The child-placing agency must give the information in subsection (b) of this section to the emergency care facility. If the information in subsection (b) of this section is not available at admission, the child-placing agency must document in the child's record efforts made to obtain the information.

(d) Agency staff must discuss the placement with the child and document in the child's record his understanding of the placement.

(e) When a child is admitted to an emergency agency foster family home or an emergency agency foster group home, the child-placing agency must try to contact the child's managing conservator or parents within 24 hours. The child-placing agency must attempt this contact if the agency staff knows their identity and how to contact them. If the parents or managing conservator cannot be contacted, the child-placing agency must notify a public agency (children's protective services, juvenile probation, or police department) of the child's presence. The child-placing agency must document in the child's record efforts to contact the parents or managing conservator and contacts with public agencies.

(f) When a child is admitted to an emergency care facility not operated under the auspices of the child-placing agency, child-placing agency staff must provide all information obtained about the child to the facility where the child is placed within 24 hours of obtaining the information. Staff must document in the child's record transmission of the information to the receiving facility.

(g) Each child must receive a health screening examination within 48 hours of admission or on the first workday after admission.

(1) The screening examination must be given by a licensed physician, registered nurse, licensed vocational nurse, or paramedic.

(2) Results of the screening examination, signed and dated by the person doing the examination, must be documented in the child's record.

(3) If the child is coming from a medical setting, a statement from a licensed physician may be accepted in place of the examination. The statement must be documented in the child's record.

(h) If a child shows symptoms of illness or abuse, he must be examined immediately by a licensed physician.

(i) If a child shows symptoms of abuse or neglect, the child-placing agency must report this immediately to child protective services staff, DHR.

(j) The child-placing agency must maintain accurate and current records for each child in emergency shelter type care. Besides other required documentation, the child-placing agency must include in a child's record the following information, if available:

- (1) name;
- (2) date of birth;
- (3) place of birth;
- (4) sex;
- (5) religion;
- (6) race;
- (7) names, addresses, and telephone numbers of parents, brothers, and sisters;
- (8) names, addresses, and telephone numbers of other persons who have a significant relationship with the child;
- (9) date of admission; and
- (10) date of discharge.

§83.57. Foster Family Care.

(a) The child-placing agency must ensure that when a child is transported by agency staff, foster parents, or staff of an agency emergency care facility the child rides in an infant carrier, a child seat, or a seat belt, as appropriate to the child's age and size.

(1) Appropriateness is determined as follows.

(A) The agency must ensure that an infant who cannot sit up without support is properly restrained in a dynamically crash-tested infant carrier designed as a child passenger restraint device and manufactured according to federal standards. The carrier must be placed in a semi-reclining position, facing the back of the car. The carrier must be held in the seat by the standard fixed seat belt.

(B) The agency must ensure that each child under two years old who can sit alone is properly seated in a child seat that is a dynamically crash-tested child passenger restraint device manufactured according to federal standards.

(C) The agency must ensure that each child age two or older rides in either a child seat that is a dynamically crash-tested passenger restraint device manufactured according to federal standards or in a seat belt. Only one person may use each seat belt.

(D) A child may ride in a shoulder harness and seat belt if the shoulder harness goes across the child's chest and not across the child's face or neck.

(2) Each restraint device must be properly anchored and used according to the manufacturer's specifications.

(b) The child-placing agency must ensure that when children are being transported by agency staff, foster parents, or agency emergency care facility staff the driver and all adult passengers are properly restrained by a seat belt when the vehicle is in motion.

(c) The child-placing agency must ensure that when children are transported by agency staff, foster parents, or agency

emergency care facility staff the vehicle is equipped with first aid supplies and a minimum of one 6-BC portable fire extinguisher. Fire extinguishers must be installed in the passenger compartment of the vehicle and accessible to the adult occupants.

§83.58. Children's Rights.

(a) The child-placing agency must have written policies for the discipline of children in emergency care facilities operated under the agency's auspices. The child-placing agency must provide copies of the policies to foster parents and staff. The agency must submit copies of the discipline policy with each application for a license.

(1) Only foster parents or other adult staff members may discipline children.

(2) The emergency care facility must not subject children to cruel, harsh, unusual, or unnecessary punishment.

(3) The emergency care facility must ensure that the reasons for any punishment or restrictions are made clear to children.

(4) The emergency care facility must keep a record of each time children are restricted to the emergency care facility for longer than 24 hours.

(5) The emergency care facility must ensure that children are not subjected to remarks that belittle or ridicule them or their families.

(6) The emergency care facility must not deny children food, mail, or visits with their families as punishment.

(7) The emergency care facility must not threaten children with the loss of placement as punishment.

(8) The emergency care facility must ensure that discipline fits the needs of the individual child.

(9) The emergency care facility must not punish children by shaking, striking, or spanking.

(b) The agency emergency care facility may use physical holding as a form of restraint only to protect the child from injury to himself or others. The use of physical holding and the length of time used must be documented in the child's record. The emergency care facility must not use mechanical restraints.

(c) The agency emergency care facility may place a child in a locked room only until the child can be taken for immediate medical treatment. Any seclusion of a child must be documented in the child's record.

§83.59. Medical and Dental Care.

(a) The child-placing agency must have written policies and procedures for obtaining diagnosis and treatment of medical and dental problems demanding immediate attention.

(1) The child-placing agency must make copies of the policies and procedures available for review by staff of the Licensing Branch.

(2) The child-placing agency must provide copies of the policies and procedures to each foster family.

(b) The child-placing agency must maintain medical records for each child. The agency must ensure that the records contain:

(1) medical consent form signed by a person authorized to give consent under the Texas Family Code. If the facility is unable to obtain written consent, notation must be made in the record. Verbal consent must be followed by written consent as soon as possible. If the facility is unable to obtain consent, attempts made and the reason why it was not obtained must be documented in the medical record;

(2) record of medical screening;

(3) record of each visit to a physician or dentist, recommended treatment, and treatment received;

(4) intake medical information.

(c) The child placing agency must make provisions for emergency medical and dental care and for routine treatment of known chronic health problems.

(d) The child-placing agency must comply with laws, rules, and regulations regarding immunizations of children (Human Resources Code, Chapter 42, §42.043). The child-placing agencies must follow requirements of the Texas Department of Health about immunizations of children in shelters. Based on an interpretation by the Texas Department of Health, children in emergency shelter care less than 30 days may start immunizations when placed in a more permanent care facility.

(e) If a child remains in an emergency care facility for more than 30 days, the emergency care facility must document compliance with immunization requirements. The child-placing agency must ensure that one or more of the following is in the child's record:

(1) a written and dated record that the child has been immunized against diphtheria, tetanus, pertussis, polio, measles, mumps, and rubella. The physician or health personnel must sign the record and specify the type of immunization, number of doses, and the dates given;

(2) a written and dated statement from a licensed physician or other authorized health personnel that immunizations against at least one of the diseases have begun. The immunization cycle must be completed as soon as is medically feasible. The home must have the child's current immunization record on file;

(3) a certificate signed by a licensed physician stating that the required immunization would be injurious to the health and well-being of the child or any member of his family or household;

(4) an affidavit (notarized statement) signed by the parent or managing conservator of the child stating that the immunization conflicts with the tenets and practice of a recognized church or religious

denomination of which the child is an adherent or member;

(5) a written and dated statement signed by the parents or managing conservator that the child's immunization record is current and on file at the school the child attends. The name of the school must be included on the statement;

(6) a written and dated statement signed by a responsible staff member verifying that a record of the child's immunization exists. Staff must include in the statement the current location of the record and when and how its existence was verified.

§83.60. Discharge.

(a) The child-placing agency must ensure that the following persons are involved in planning the discharge of a child from the emergency care facility:

(1) the child;

(2) the child's managing conservator or parents, if the child-placing agency knows their identity and how to contact them;

(3) agency staff; and

(4) emergency care facility staff.

(b) The child-placing agency must not discharge a child, except on written authorization from the parent or managing conservator, to anyone other than:

(1) the parent(s);

(2) the managing conservator;

(3) DHR child protective services staff; or

(4) law enforcement agency staff.

(c) The child-placing agency must document in the child's record the date and circumstances of the child's discharge. The child-placing agency must record the name, address, and relationship of the person to whom the child is discharged.

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 April 8, 1985.

TRD-853019

Marlin W. Johnston
Commissioner
Texas Department of
Human Resources

Earliest possible date of adoption:

May 13, 1985

For further information, please call
(512) 450-3768.



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 notice may be received too late to be published before the meeting is held, but all notices are published in the *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 agendas than what is published in the *Register*.

Texas Adult Probation Commission

Friday, April 12, 1985, 9 a.m. The Program Committee of the Texas Adult Probation Commission made additions to the agenda for a meeting to be held in Suite 600, Building B, 8100 Cameron Road, Austin. The additions concern consideration of waivers regarding Brazoria, Milam, Panola, Polk, and Scurry Counties; a proposed special program funding methodology for fiscal year 1986; and proposed special program funding categories for fiscal year 1986.

Contact: Virginia Grote, 8100 Cameron Road, Building B, Suite 600, Austin, Texas 78753, (512) 834-8188.

Filed: April 4, 1985, 10:52 a.m.
TRD-852990

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Texas Economic Development Commission

Thursday, April 18, 1985, 3:30 p.m. The Board of Commissioners of the Texas Economic Development Commission will meet in Room 221, Anson Jones Building, 410 East Fifth Street, Austin. According to the agenda, the commission will approve the Texas Small Business Industrial Development Corporation unit (Tab 6) resolutions and discuss a legislation update.

Contact: Alexa Richter, 410 East Fifth Street, Austin, Texas 78701, (512) 472-5059.

Filed: April 9, 1985, 8:10 a.m.
TRD-853065

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Texas Education Agency

Tuesday, April 9, 1985, 2 p.m. The Long-Range Planning Committee of the State Board of Education of the Texas Education

Agency met in emergency session at the Amfac Hotel, Dallas/Fort Worth Airport, 3001 East Tower. According to the agenda, the committee met in executive session in accordance with the provisions of Texas Civil Statutes, Article 6252-17(g), to consider candidates for the position of commissioner of education. Other State Board of Education members were invited to attend. The emergency status was necessary because, after the March 31, 1985, committee meeting, further consideration of candidates by independent committee members revealed for the first time the critical need for an emergency meeting prior to April 12, 1985, to meet the target date of April 13, 1985, for final selection of the commissioner of education.

Contact: W. N. Kirby, 201 East 11th Street, Austin, Texas 78701, (512) 475-3271.

Filed: April 4, 1985, 1:23 p.m.
TRD-852997

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Texas Employment Commission

Tuesday, April 16, 1985, 9 a.m. The Texas Employment Commission (TEC) will meet in Room 644, TEC Building, 15th Street and Congress Avenue, Austin. According to the agenda summary, the commission will discuss prior meeting notes, discuss internal procedures of the Office of Commission Appeals, consider and act on tax liability cases and higher level appeals in unemployment compensation cases listed on Docket 16, and set the date of the next meeting.

Contact: Courtenay Browning, TEC Building, Room 608, 15th Street and Congress Avenue, Austin, Texas, (512) 397-4415.

Filed: April 8, 1985, 2:19 a.m.
TRD-853043

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Commission on Fire Protection Personnel Standards and Education

Wednesday, April 17, 1985. The Committee on Fire Suppression and the Board of the Commission on Fire Protection Personnel Standards and Education will meet in Suite 406, 510 South Congress Avenue, Austin. Times and agendas follow.

10:30 a.m. The Committee on Fire Suppression will consider proposed amendments to the minimum standards for fire suppression personnel and discuss the final examination testing procedure for rookie fire fighter training.

1:30 p.m. The Board will hear committee reports, address old and new business, hear the executive director's report, and take action on the proposal for amending minimum standards for fire suppression personnel.

Contact: Ray L. Goad, 510 South Congress Avenue, Suite 406, Austin, Texas 78704, (512) 474-8066.

Filed: April 4, 1985, 11:14 a.m.
TRD-852992, 852993

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Texas Department of Health

Friday, April 12, 1985, 9 a.m. The Municipal Solid Waste Management and Resource Recovery Advisory Council of the Texas Department of Health (TDH) will meet at the Embassy Suites Hotel, 5901 IH 35 North, Austin. According to the agenda summary, the council will approve the minutes; consider U.S. treasury tax reform proposals as they impact resource recovery, highlights of solid waste legislation filed in the 69th Legislature, 1985, the regional solid waste planning process, the status of resource recovery projects, small scale resource recovery system planning concerning the Nacogdoches experiment, the fifth national recycling congress, and the Muscular Dystrophy Association Used Oil Recy-

cling Program; and discuss future council plans.

Contact: Jack C. Carmichael, 1100 West 49th Street, Austin, Texas, (512) 458-7271.

Filed: April 4, 1985, 4:14 p.m.
TRD-853010

Saturday, April 13, 1985, 9:30 a.m. The Cardiovascular Advisory Committee of the Crippled Children's Services of the TDH will meet in the conference room, first floor, 1101 East Anderson Lane, Austin. According to the agenda summary, the committee will review applications from physicians seeking program participation approval and discuss the operation of the program approved pediatric cardiology diagnostic and treatment centers in the state.

Contact: Jim Rambin, 1100 West 49th Street, Austin, Texas 78756, (512) 465-2666.

Filed: April 4, 1985, 4:15 p.m.
TRD-853011

Friday, April 19, 1985, 10 a.m. The Texas Emergency Medical Services Advisory Council of the TDH will meet at the Executel Motor Inn, 925 East Anderson Lane, Austin. According to the agenda summary, the council will approve the January minutes; establish rule priorities; hear Ad Hoc Committee reports concerning medical directors, education, and emergency medical service (EMS) providers; and consider rule activity on EMS certification of the registered nurse, licensed vocational nurse, and EMS communications, a legislative update, EMS goals, council planning, communications and messages to the council for grant funds for EMS training and a reduction in state funds, and announcements and comments.

Contact: Dr. Charles H. Gregory, 1100 West 49th Street, Austin, Texas 78756, (512) 465-2601.

Filed: April 4, 1985, 4:15 p.m.
TRD-853012

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Texas Health Facilities Commission

Thursday, April 11, 1985, 1:30 p.m. The Texas Health Facilities Commission made an emergency addition to the agenda of a meeting held in Suite 305, Jefferson Building, 1600 West 38th Street, Austin. The addition concerned consideration of the application for Certificate of Need AN84-0629-423, Austin Continued Care Manor, Round Rock. The emergency status was necessary because a final decision was rendered on the application which proposed a project to address the welfare of elderly

and seriously ill patients of the medical service area.

Contact: John R. Neel, P.O. Box 50049, Austin, Texas 78763, (512) 475-6940.

Filed: April 8, 1985, 9:51 a.m.
TRD-853021

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Texas Department of Human Resources

Friday, April 19, 1985, 8:30 a.m. The Advisory Council for Social Work Certification of the Texas Department of Human Resources will meet in the conference room, fourth floor, West Tower, 701 West 51st Street, Austin. Items on the agenda include approval of the minutes, a report from the subcommittee on examinations, discussion of examination issues, a staff report, and a summary.

Contact: Michael O. Doughty, P.O. Box 2960, Austin, Texas, (512) 450-3255.

Filed: April 8, 1985, 3:31 p.m.
TRD-853062

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State Board of Insurance

Tuesday, April 16, 1985, 9 a.m. The Commissioner's Hearing Section of the State Board of Insurance will conduct a public hearing in Room 353, 1110 San Jacinto Street, Austin. According to the agenda, the section will consider Docket 8026—whether the Group II health and accident insurance agent's license held by Curtis Hall, Hempstead, should be canceled or revoked.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: April 8, 1985, 1:14 p.m.
TRD-853033

Tuesday, April 16, 1985, 10 a.m. The State Board of Insurance will meet in Room 414, 1110 San Jacinto Street, Austin. According to the agenda summary, the board will hear the commissioner's report concerning personnel, hear the fire marshal's report on personnel, and discuss board orders on several different matters.

Contact: Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2950.

Filed: April 8, 1985, 2:53 p.m.
TRD-853058

Tuesday, April 16, 1985, 1:30 p.m. The Commissioner's Hearing Section of the State Board of Insurance will meet in Room 342, 1110 San Jacinto Street, Austin. According to the agenda, the section will con-

sider Docket 8056—whether disciplinary action should be taken against Professional Investors Life Insurance Company, Tulsa, Oklahoma, which holds a certificate of authority.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: April 8, 1985, 1:14 p.m.
TRD-853034

Tuesday, April 16, 1985, 2 p.m. The State Board of Insurance will meet in Room 414, 1110 San Jacinto Street, Austin. According to the agenda summary, the board will request approval of rates to be charged for prepaid legal service contracts in the form of riders to group health policies written by Prudential Insurance Company of America pursuant to the Insurance Code, Article 5.13-1; consider final action on new Rules 059.05.15.201, 059.21.49.005, and 059.21.49.010; consider a proposed amendment to Rule 059.21.21.122; consider a response to a rules petition concerning Rules 059.21.21.105 and .106; and consider the reproposal of Rule 059.03.68.001.

Contact: Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2950.

Filed: April 8, 1985, 2:53 p.m.
TRD-853059

The Commissioner's Hearing Section of the State Board of Insurance will conduct public hearings at 1110 San Jacinto Street, Austin. Days, times, rooms, and dockets follow.

Tuesday, April 16, 1985, 3 p.m. In Room 342, Docket 7965—whether disciplinary action should be taken against John A. Post Life Insurance Company, Dallas, which holds a certificate of authority.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: April 8, 1985, 1:14 p.m.
TRD-853035

Wednesday, April 17, 1985, 9 a.m. In Room 342, Docket 7994—whether disciplinary action should be taken against David Eugene Quintanilla, Houston, who holds a Group I legal reserve life insurance agent's license and a local recording agent's license.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: April 8, 1985, 1:14 p.m.
TRD-853036

Wednesday, April 17, 1985, 1:30 p.m. In Room 342, Docket 8051—application of Philip Leon Boyd, Woodville, for a legal reserve life insurance agent's license.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: April 8, 1985, 1:14 p.m.
TRD-853037

Thursday, April 18, 1985, 1:30 p.m. In Room 342, Docket 7950—whether disciplinary action should be taken against Edward Drummond Weston, Quinlan, who holds a Group I legal reserve life insurance agent's license, a Group II insurance agent's license, and a local recording agent's license.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: April 8, 1985, 1:15 p.m.
TRD-853038

Friday, April 19, 1985, 1:30 p.m. In Room 342, Docket 7973—whether disciplinary action should be taken against Pilot Life Insurance Company, Greensboro, North Carolina, which holds a certificate of authority.

Contact: John Brady, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2287.

Filed: April 8, 1985, 1:15 p.m.
TRD-853039

Friday, April 19, 1985, 3 p.m. In Room 342, Docket 7974—whether disciplinary action should be taken against Pyramid Life Insurance Company, Shawnee Mission, Kansas, which holds a certificate of authority.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: April 8, 1985, 1:15 p.m.
TRD-853040

Monday, April 22, 1985, 9 a.m. In Room 353, Docket 7956—whether Lone Star Insurance Association, McKinney, has complied with Commissioner's Order 85-0580, dated February 21, 1985.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: April 8, 1985, 1:15 p.m.
TRD-853041

Monday, April 22, 1985, 1:30 p.m. In Room 342, Docket 8035—application of Texas United Holdings Corporation, Dallas, to acquire control of Mission American Life Insurance, Houston.

Contact: J. C. Thomas, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-4353.

Filed: April 8, 1985, 1:15 p.m.
TRD-853042

A delegate of the State Board of Insurance will conduct public hearings in Room 342, 1110 San Jacinto Street, Austin. Days, times, and agendas follow.

Monday, May 6, 1985, 9 a.m. Appeal of Benjy F. Brooks and Richard A. Green from action of the Texas Catastrophe Property Insurance Association (TCPIA).

Wednesday, May 8, 1985, 9 a.m. Appeal of Armando and Vita Rossi from action of the TCPIA.

Monday, May 13, 1985, 9 a.m. Plea to the jurisdiction filed by the TCPIA in the appeal

of John White and Carl Hill from action of the TCPIA.

Wednesday, May 15, 1985, 9 a.m. Appeal of Ina Lee Ross from action of the TCPIA.

Monday, May 20, 1985, 9 a.m. Appeal of Galveston Discount Furniture, Inc., from action of the TCPIA.

Wednesday, May 22, 1985, 9 a.m. Appeal of the estate of H. B. Foster, Vera S. Foster, independent executrix, from action of the TCPIA.

Contact: Pat Wagner, 1110 San Jacinto Street, Austin, Texas 78786, (512) 475-2950.

Filed: April 9, 1985, 9:14 a.m.
TRD-853070-853075

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Texas Department of Labor and Standards

Monday, April 29, 1985, 9 a.m. The Manufactured Housing Division of the Texas Department of Labor and Standards will meet in Suite 313, 800 Broadway, Lubbock. According to the agenda, the division will conduct informal hearings of various consumer complaints regarding manufactured homes which do not comply with Texas Civil Statutes, Article 5221f.

Contact: Orlando S. Mata, P.O. Box 12157, Austin, Texas (512) 475-0155.

Filed: April 4, 1985, 2:40 p.m.
TRD-852996

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Lamar University

Thursday, April 11, 1985. Committees of the Board of Regents of Lamar University (LU) and the full board met in emergency session in the Gray Library, Lamar University, Beaumont. Times, rooms, committees, and agendas follow.

9 a.m. In the Lamar Room, the Personnel Committee and the Academic Affairs Committee jointly considered a recommendation to the commission campus police officers. The committees also met in executive session to consider recommendations for promotion and tenure, regents' professor awards and regents' merit awards at LU-Beaumont and LU-Port Arthur and a tenure recommendation at LU-Orange. The emergency status was necessary because of the Easter holiday and the 72-hour posting requirement for open meetings.

9:30 a.m. In the Lamar Room, the Finance and Audit Committee considered approval

of the February 1985 monthly financial report, bids for College of Business micro-computers, computer upgrade of computer science department VAC system, and authorization to modify investment portfolio; and reviewed a report on local funds. The emergency status was necessary because of the Easter holiday and the 72-hour posting requirement for open meetings.

10 a.m. In the Spindletop Room, the board considered the chancellor's report and announcements; approval of Finance/Audit Committee recommendations, approval of Buildings and Grounds Committee recommendations, approval of Personnel Committee recommendations, and approval of Academic Affairs Committee recommendations. The board also met in executive session. The emergency status was necessary because of the Easter holiday and the 72-hour posting requirement for open meetings.

Contact: Dr. George McLaughlin, P.O. Box 11915, Beaumont, Texas 77710, (409) 880-2304.

Filed: April 9, 1985, 9:15 a.m.
TRD-853076-853078

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Board of Pardons and Paroles

Monday-Friday, April 15-19, 1985, 1:30 p.m. daily Monday-Thursday and 11 a.m. Friday. A three-member panel of the Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda summary, the panel 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: Mike Roach, 8610 Shoal Creek Boulevard, Austin, Texas, (512) 459-2713.

Filed: April 4, 1985, 10:33 a.m.
TRD-852974

Tuesday, April 16, 1985, 1:30 p.m. The Board of Pardons and Paroles will meet at 8610 Shoal Creek Boulevard, Austin. According to the agenda, the board will consider executive clemency recommendations and related actions (other than out-of-country conditional pardons), including full pardons/restoration of civil rights of citizenship; emergency medical reprieves; commutations of sentence; and other reprieves, remissions, and executive clemency actions.

Contact: Gladys Sommers, 8610 Shoal Creek Boulevard, Austin, Texas, (512) 459-2704.

Filed: April 4, 1985, 10:32 a.m.
TRD-852975

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State Pension Review Board

Wednesday, April 17, 1985, 8:30 a.m. The Legislative Advisory Committee of the State Pension Review Board will meet in Room G-35-B, State Capitol, Austin. According to the agenda, the committee will discuss upcoming legislation.

Contact: Benette Meadows, P.O. Box 13498, Austin, Texas 78711, (512) 475-8332.

Filed: April 8, 1985, 1:41 p.m.
TRD-853046

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Public Utility Commission of Texas

Friday, April 12, 1985, 9 a.m. The Hearings Division of the Public Utility Commission of Texas met in emergency session in Suite 450N, 7800 Shoal Creek Boulevard, Austin. According to the agenda, the commissioners considered an interim appeal in Docket 6055—notice of intent by Southwestern Public Service Company for a certificate of convenience and necessity application for a proposed generating station within Lubbock County. The emergency status was necessary due to a statutory requirement deadline.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: April 8, 1985, 4:16 p.m.
TRD-853063

The Hearings Division of the Public Utility Commission of Texas will meet in Suite 450N, 7800 Shoal Creek Boulevard, Austin. Days, times, and dockets follow.

Tuesday, April 16, 1985, 10 a.m. A prehearing conference in Docket 6190—application of Texas Utilities Electric Company for approval of notice of intent to file an application for certification of combustion turbine generating units in Ward, Mitchell, and Hood Counties.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: April 4, 1985, 4:17 p.m.
TRD-853013

Friday, April 19, 1985, 1:30 p.m. A prehearing conference in Docket 6181—application of Southwestern Bell Telephone Company for a customer specific pricing plan tariff.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: April 9, 1985, 9:08 a.m.
TRD-853079

Tuesday, April 23, 1985, 10 a.m. A rescheduled hearing on the merits in Docket 6081—

application of General Telephone Company of the Southwest for authority to change rates for customers at the Dallas/Fort Worth Airport. The hearing originally was scheduled for 10 a.m. on April 16, 1985, as published at 10 TexReg 944.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: April 4, 1985, 1:43 p.m.
TRD-852998

Friday, April 26, 1985, 10 a.m. An informal hearing in Docket 6206—customer protest in the matter of a rate increase by Sharwood Water System.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: April 4, 1985, 2:52 p.m.
TRD-852999

Additions to the previous agenda:

A hearing on the merits in Docket 6015—application of Southwestern Bell Telephone Company for a tariff change to modify and clarify regulations concerning the provision of on-premises private line service.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: April 8, 1985, 11:03 a.m.
TRD-853023

A prehearing conference in Docket 6191—applications of Central Telephone Company—Midstate and Central Telephone Company of Texas to establish private pay telephone service rates and regulations.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: April 9, 1985, 9:11 a.m.
TRD-853080

Friday, May 3, 1985, 10 a.m. A hearing on the merits in Docket 6047—complaint of Russell E. Guinn against Gulf States Utilities Company regarding a billing and meter tampering dispute.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0111.

Filed: April 8, 1985, 2:11 p.m.
TRD-853047

Wednesday, May 8, 1985, 10 a.m. A prehearing conference in Docket 6187—inquiry into the service rendered and rates charged by Clifford Ranch.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: April 4, 1985, 2:52 p.m.
TRD-853000

Tuesday, May 14, 1985, 10 a.m. A hearing on the merits in Docket 6204—complaint of Robert Lynn against Hill County Electric Cooperative.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: April 4, 1985, 1:43 p.m.
TRD-853001

Tuesday, June 25, 1985, 10 a.m. A hearing on the merits in Docket 6190—application of Texas Utilities Electric Company for approval of a notice of intent to file an application for certification of combustion turbine generating units in Ward, Mitchell, and Hood Counties.

Contact: Rhonda Colbert Ryan, 7800 Shoal Creek Boulevard, Austin, Texas 78757, (512) 458-0100.

Filed: April 4, 1985, 4:17 p.m.
TRD-853014

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Railroad Commission of Texas

Monday, April 8, 1985, 9 a.m. The Transportation Division of the Railroad Commission of Texas submitted an emergency revised agenda for a meeting held in Room 309, 1124 IH 35 South, Austin. According to the revised agenda, the commission considered Docket 002002A7CP—complaint on behalf of Southeast Tex-Pack Express, Inc., against Mistletoe Express Service alleging that Mistletoe Express Service cannot tack and coordinate authority in Certificate 2002 into any other certificate held by the same entity. The emergency status was necessary because this matter was properly posted for the April 1, 1985, meeting and was passed.

Contact: Michael A. James, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1330.

Filed: April 4, 1985, 10:44 a.m.
TRD-852976

Monday, April 15, 1985, 9 a.m. The Railroad Commission of Texas will meet in Room 309, 1124 IH 35 South, Austin. The commission will consider and act on division agendas as follows.

The Administrative Services Division director's report on division administration, budget, procedures, and personnel matters.

Contact: Roger Dillon, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1211.

Filed: April 4, 1985, 10:43 a.m.
TRD-852977

The Automatic Data Processing Division director's report on division administration, budget, procedures, equipment acquisitions, and personnel matters.

Contact: Bob Kmetz, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1204.

Filed: April 4, 1985, 10:44 a.m.
TRD-852978

The Flight Division director's report on division administration, budget, procedures, and personnel matters.

Contact: Ken Fossler, 1124 IH 35 South, Austin, Texas 78704, (512) 445-1103.

Filed: April 4, 1985, 10:43 a.m.
TRD-852979

Various matters falling within the Gas Utilities Division's regulatory jurisdiction.

Contact: Lucia Sturdevant, P.O. Drawer 12967, Austin, Texas 78711, (512) 475-0461.

Filed: April 4, 1985, 10:41 a.m.
TRD-852980

The Office of Information Services director's report on division administration, budget, procedures, and personnel matters.

Contact: Brian W. Schaible, P.O. Drawer 12967, Austin, Texas 78711.

Filed: April 4, 1985, 10:43 a.m.
TRD-852981

The LP-Gas Division director's report on division administration, budget, procedures, and personnel matters and various matters within the division's jurisdiction, including the adoption of 16 TAC §§9.1, 9.15, 9.130, 9.211, and 9.231, involving technical revisions to the LP-gas safety rules; and the hearing examiner's proposals for a decision regarding Docket 325—Romeo Ybarra Plumbing, and Docket 326—W. T. Briscoe Tractor Company.

Contact: Thomas D. Petru, P.O. Drawer 12967, Austin, Texas 78711, (512) 475-1301.

Filed: April 4, 1985, 10:42 a.m.
TRD-852982

Various matters falling within the Oil and Gas Division's regulatory jurisdiction.

Contact: Liz Nauert, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1307.

Filed: April 4, 1985, 10:44 a.m.
TRD-852983

Addition to the previous agenda;

Consideration of category determinations under the Natural Gas Policy Act of 1978, §§102(c)(1)(B), 102(c)(1)(C), 103, 107, and 108.

Contact: Madalyn J. Girvin, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1209.

Filed: April 4, 1985, 10:41 a.m.
TRD-852984

The Personnel Division director's report on division administration, budget, procedures, and personnel matters.

Contact: Mark K. Bogan, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1120.

Filed: April 4, 1985, 10:43 a.m.
TRD-852985

The Office of Research and Statistical Analysis director's report on division administration, budget, procedures, and personnel matters.

Contact: Gail Gemberling, P.O. Drawer 12967, Austin, Texas 78711, (512) 445-1391.

Filed: April 4, 1985, 10:42 a.m.
TRD-852987

The Office of the Special Counsel director's report relating to pending litigation, state and federal legislation, and other budget, administrative, and personnel matters.

Contact: Walter Earl Lillie, 1124 IH 35 South, Austin, Texas 78704, (512) 445-1186.

Filed: April 4, 1985, 10:43 a.m.
TRD-852986

The Surface Mining and Reclamation Division director's report on division administration, budget, procedures, and personnel matters and approval of a permit application, self-bonding, and issuance of a permit for the Lower Colorado River Authority in Docket 20—Cummins Creek Support Facility.

Contact: J. Randel (Jerry) Hill, 105 West Riverside Drive, Austin, Texas, (512) 475-8751.

Filed: April 4, 1985, 10:41 a.m.
TRD-852988

Various matters falling within the Transportation Division's regulatory jurisdiction.

Contact: Michael A. James, 1124 IH 35 South, Austin, Texas 78704, (512) 445-1330.

Filed: April 4, 1985, 10:44 a.m.
TRD-852989

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State Rural Medical Education Board

Saturday, April 20, 1985, 8 a.m. The State Rural Medical Education Board will meet in Room 224, Southwest Tower Building, 211 East Seventh Street, Austin. According to the agenda, the board will discuss medical licensing in Texas, review potential default cases, discuss the impact of pending legislation, conduct interviews of new applicants, and consider supplemental loan applications.

Contact: Duane Keeran, 211 East Seventh Street, Austin, Texas 78701, (512) 475-0801.

Filed: April 8, 1985, 2:11 p.m.
TRD-853044

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Texas Savings and Loan Department

The Texas Savings and Loan Department will meet at 1004 Lavaca Street, Austin. Days, times, and agendas follow.

Wednesday, April 17, 1985, 9 a.m. The department will accumulate a record of evidence in regard to the application of Life Savings Association for a charter to be located at 6132 Highway 290 West, Austin, (Oak Hill) Travis County, from which record the commissioner shall determine whether to grant or deny the application on remand from the District Court of Travis County.

Contact: Russell R. Oliver, 1004 Lavaca Street, Austin, Texas 78701, (512) 475-7991.

Filed: April 9, 1985, 9:23 a.m.
TRD-853068

Monday, May 6, 1985, 10 a.m. The department will call all applications and, if no protest is registered and existing when called, further hearing will be dispensed with. If protest is registered and existing when called, hearing on the applications will be continued to a later date.

Contact: Russell R. Oliver, 1004 Lavaca Street, Austin, Texas 78701, (512) 475-7991.

Filed: April 9, 1985, 9:23 a.m.
TRD-853069

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School Land Board

Tuesday, April 16, 1985, 10 a.m. The School Land Board will meet in Room 831, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. Items on the agenda include approval of the previous meeting minutes; pooling applications; consideration and approval of tracts to be offered for lease, bidding methods, minimum per acre bonus, royalty, rental, and primary term for the June 4, 1985, oil, gas, and other minerals lease sale; coastal public lands easement applications; and a lease application.

Contact: Linda K. Fisher, Stephen F. Austin Building, Room 837, 1700 North Congress Avenue, Austin, Texas 78701, (512) 475-0352.

Filed: April 8, 1985, 4:52 p.m.
TRD-853064

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University of Texas System

Thursday and Friday, April 11 and 12, 1985, 1:30 p.m. and 9 a.m. respectively. Standing committees of the Board of Re-

gents of the University of Texas (UT) System and the full board met in the north conference room, sixth floor, Building B, University of Texas Health Center, U.S. Highway 271 North and State Highway 155, Tyler. According to the agenda summary, the board and committees considered replacement of lost permanent university fund (PUF) bonds, Series 1980; amendments to RRR; proposed establishment of a UT System Center for High Performance Computing; budgetary amendments; the chancellor's docket (index submitted by the system administration); an increase in the student services fee, UT-Austin; buildings and grounds matters, including authorization for projects, approval of preliminary and final plans, and awarding of contracts; easements; oil and gas leases; appointments to endowed positions, development boards, and advisory councils; affiliation agreements; land and investment matters; acceptance of gifts, bequests, and estates; establishment of endowed positions and funds; pending litigation; personnel matters; land acquisition; and negotiated contracts.

Contact: Arthur H. Dilly, P.O. Box N, Austin, Texas 78713-7328, (512) 499-4402.

Filed: April 4, 1985, 2:21 p.m.
TRD-852995

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Texas State Technical Institute

Wednesday, April 10, 1985, 9:30 a.m. The Executive Committee of the Board of Regents of Texas State Technical Institute (TSTI) met in emergency session at the Executive Inn, Dallas. According to the agenda, the committee reviewed plans for management of the TSTI system and campuses. The emergency status was necessary because this matter needed to be resolved before April 11, 1985, for TSTI to implement a management structure.

Contact: Theodore A. Talbot, Waco, Texas 76705, (817) 799-3611, ext. 3909.

Filed: April 8, 1985, 12:13 p.m.
TRD-853031

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Texas Water Commission

The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. Days, times, and agendas follow.

Monday, April 15, 1985, 2 p.m. The commission will consider an application of the City of Garland, P.O. Box 469002, Gar-

land, Texas 75046-9002, to the Texas Department of Water Resources (TDWR) for a temporary order to authorize the discharge of partially treated municipal wastewater effluent at a volume not to exceed an average flow of 10 million gallons per day from its Rowlett Creek Wastewater Treatment Plant (Permit 10090-02), which is located approximately 3,000 feet south of the intersection of State Highway 66 and Centerville Road on the southeast corner where the Missouri, Kansas, and Texas Railroad tracks cross Centerville Road in Dallas County. The applicant proposes to effect necessary improvements to this facility.

Contact: Kenneth Petersen, P.O. Box 13087, Austin, Texas 78701, (512) 475-7841.

Filed: April 4, 1985, 2:12 p.m.
TRD-853003

Tuesday, April 16, 1985, 10 a.m. The commission will consider water district bond issues, use of surplus funds, release from escrow, water quality proposed permits, amendments and renewals, certificates of adjudication, consideration of a *nunc pro tunc* order, weather modification matters, and the filing and setting of hearing dates.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: April 4, 1985, 2:11 p.m.
TRD-853004

Addition to the previous agenda:

The commission will consider resetting the hearing date for a petition for creation of River Place Municipal Utility District.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: April 4, 1985, 3:23 p.m.
TRD-853016

Thursday, April 18, 1985, 10 a.m. The Texas Water Commission will meet in Room 124A, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. According to the agenda, the commission will consider the application of Terry Taylor for proposed Permit 12997-01 to authorize discharge of 14,000 gallons per day of treated domestic sewage, Trinity River Basin, Leon County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: April 8, 1985, 1:54 p.m.
TRD-853048

The Texas Water Commission will meet in Room 118, Stephen F. Austin Building, 1700 North Congress Avenue, Austin. Days, times, and agendas follow.

Wednesday, April 24, 1985, 9:30 a.m. The commission will consider Application TA-5166 of Ski Development, Inc., for a permit to divert and use 120 acre-feet of water for a one-year period from York Creek, tributary of the San Marcos River, tributary of

the Guadalupe River Basin, for recreational purposes in Guadalupe County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: April 4, 1985, 2:13 p.m.
TRD-853005

Additions to the previous agenda:

Application TA-5165 of Earthmovers, Inc., for a permit to divert and use 15 acre-feet of water for a five-month period from Panther Creek, tributary of the Salt Fork Red River, Red River Basin, for industrial purposes in Collingsworth County.

Application TA-5156 of Allan Construction Company, Inc., for a permit to divert and use 15 acre-feet of water for a two-year period from the Leon River, tributary of the Little River, tributary of the Brazos River, Brazos River Basin, for industrial purposes in Comanche County.

Application TA-5155 of SPG Exploration Corporation for a permit to divert and use two acre-feet of water for a three-year period from Falcon Reservoir on the Rio Grande, Rio Grande Basin, for mining purposes in Zapata County.

Application TA-5162 of Zapata County Waterworks for a permit to divert and use 50 acre-feet of water for a three-year period from Falcon Lake on the Rio Grande, Rio Grande Basin, for municipal purposes in Zapata County.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: April 4, 1985, 2:12 p.m.
TRD-853006-853009

Monday, April 29, 1985, 2 p.m. The commission will consider the petition by East Plantation Utility District of Montgomery County for review of a contract dispute with River Plantation Municipal Utility District and River Plantation joint venture.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: April 8, 1985, 3:25 p.m.
TRD-853060

Tuesday, April 30, 1985, 2 p.m. The commission will consider an application by Del Mar Conservation District seeking approval of a \$3 million bond issue.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: April 8, 1985, 1:54 p.m.
TRD-853049

Wednesday, May 1, 1985, 3 p.m. The commission will consider Application 4148A of Farms of Texas Company, seeking a permit to authorize the diversion from the Old Channel South Sulphur River, Sulphur River Basin, of an additional 7,246 acre-feet of water per annum for irrigation use in Delta, Lamar, Hopkins, Red River, and Frank Counties.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: April 8, 1985, 3:25 p.m.
TRD-8530601

Tuesday, May 14, 1985, 2 p.m. The commission will conduct a hearing for petition for creation of the Meadows at Chandler Creek Municipal Utility District containing 528.427 acres of land.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: April 8, 1985, 1:55 p.m.
TRD-853050

Addition to the previous agenda:

The commission will consider the dissolution of Mossy Oaks Utility District.

Contact: Mary Ann Hefner, P.O. Box 13087, Austin, Texas 78711, (512) 475-4514.

Filed: April 4, 1985, 3:24 p.m. •
TRD-853017

The Texas Water Commission will meet at the Stephen F. Austin Building, 1700 North Congress Avenue, Austin. Days, times, rooms, and agendas follow.

Wednesday, May 15, 1985, 9 a.m. In Room 119, the commission will consider Application 13083-01 of the Ben Franklin Development Corporation, 910 Lavaca Street, Austin, Texas 78701, to the Texas Department of Water Resources for a permit to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 900,000 gallons per day from the proposed Franklin 582 Municipal Utility District, which is to serve a planned development.

Contact: Christine Potter, P.O. Box 13087, Capitol Station, Austin, Texas 78711, (512) 475-1418.

Filed: April 8, 1985, 1:56 p.m.
TRD-853051

Thursday, May 16, 1985, 9 a.m. In Room 618, the commission will consider Application 13094-01 of Robert Fields, 3301 Northland Drive, Austin, Texas 78731, to the Texas Department of Water Resources for a permit to authorize a discharge of treated domestic wastewater effluent at a volume not to exceed an average flow of 200,000 gallons per day from the proposed Donahoe Creek Wastewater Treatment Plant, which is to serve a planned 77-acre development of premanufactured single-family residences,

Contact: Lee Ann Newberry Jones, P.O. Box 13087, Austin, Texas 78711, (512) 475-1339.

Filed: April 8, 1985, 1:58 p.m.
TRD-853052

Regional Agencies Meetings Filed April 4

The Lamar County Appraisal District, Board of Directors, met at 1523 Lamar Avenue, Paris, on April 8, 1985, at 4 p.m. Information may be obtained from Rodney Anderson, 1523 Lamar Avenue, Paris, Texas 75460, (214) 785-7822.

The San Patricio County Appraisal District, Board of Directors, met in Room 226, Courthouse Annex, Sinton, on April 11, 1985, at 9:30 a.m. Information may be obtained from Bennie L. Stewart, P.O. Box 938, Sinton, Texas 78387, (512) 364-5402.
TRD-853002

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Meetings Filed April 8

The Bexar Appraisal District, Appraisal Review Board, will meet at 535 South Main, San Antonio, on April 15, 1985, at 5 p.m. Information may be obtained from Bill Burnette, 525 South Main, San Antonio, Texas 78204, (512) 224-8511.

The Canadian River Municipal Water Authority, Board of Directors, made an emergency location change for a meeting held at the Far East Restaurant, 910 Highway 87, Plainview, on April 10, 1985, at 11 a.m. Information may be obtained from John C. Williams, P.O. Box 99, Saurford, Texas 79078, (806) 865-3325.

The Dallas Area Rapid Transit Authority, Budget and Finance Committee, met in emergency session at 601 Pacific Avenue, Dallas, on April 8, 1985, at 4 p.m. The Legal Committee and the Bylaws Committee met in emergency session at the same location on April 9, 1985, at 8 a.m. and 5:30 p.m. respectively. The board also met at the same location on the same day at 6:30 p.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 748-3278.

The East Texas Council of Governments, East Texas Regional Review Committee, met in emergency session at 3800 Stone Road, Kilgore, on April 10, 1985, at 2 p.m. Information may be obtained from Glynn J. Knight, 3800 Stone Road, Kilgore, Texas 75662, (214) 984-8641.

The Region III Education Service Center, Board of Directors, will meet at 1905 Leary Lane, Victoria, on April 15, 1985, at 1 p.m. Information may be obtained from Dennis Grizzle, 1905 Leary Lane, Victoria, Texas 77901, (512) 573-0731.

The Region VI Education Service Center, Board, will meet at the Region VI Educa-

tion Service Center, Huntsville, on April 18, 1985, at 5 p.m. Information may be obtained from M. W. Schlotter, 3332 Montgomery Road, Huntsville, Texas 77340, (713) 295-9161.

The Region VIII Education Service Center, Board of Directors, will meet at 100 North Riddle Street, Mount Pleasant, on April 18, 1985, at 7 p.m. Information may be obtained from Scott Ferguson, 100 North Riddle Street, Mount Pleasant, Texas 75455, (214) 572-8552.

The Region XII Education Service Center, Board of Directors, will meet at 401 IH 35, Waco, on April 18, 1985, at 7:30 p.m. Information may be obtained from Weldon O. Mills, P.O. Box 1249, Waco, Texas 76703, (817) 756-7494.

The Faanin County Appraisal District, Board of Review, will meet at 401 North Main Street, Bonham, on April 22, 1985, at 5 p.m. Information may be obtained from Pat Pickett, 401 North Main Street, Bonham, Texas 75418, (214) 583-9546

The Golden Crescent Service Delivery Area, Private Industry Council, met in emergency session at the Texas Employment Commission, 1301 East Rio Grande, Victoria, on April 10, 1985, at 6:30 p.m. Information may be obtained from Patrick J. Kennedy, P.O. Box 2028, Victoria, Texas 77902, (512) 578-1587.

The Hansford County Appraisal District, Board, met in emergency session at 709 West Seventh Street, Spearman, on April 10, 1985, at 9 a.m. Information may be obtained from Alice Peddy, P.O. Box 567, Spearman, Texas 79081, (806) 659-5575.

The Hunt County Tax Appraisal District, Board of Directors, met in the boardroom, 4815-B King Street, Greenville, on April 11, 1985, at 7 p.m. Information may be obtained from Henry J. Popp, 4815-B King Street, Greenville, Texas 75401, (214) 454-3510.

The Jack County Appraisal District, Board of Directors, will meet at the Los Creek Office Building, 216-D South Main, Jacksboro, on April 16, 1985, at 7 p.m. Information may be obtained from Doris G. Ray or Linda Williams, P.O. Box 850, Jacksboro, Texas 76056, (817) 567-6301.

The Middle Rio Grande Development Council, Regional Alcoholism Advisory Committee, will meet in the City Council Chambers, Uvalde, on April 24, 1985, at 10 a.m. Information may be obtained from Ramon Johnston, P.O. Box 702, Carrizo Springs, Texas 78834, (512) 876-3533.

The Nortex Regional Planning Commission, Executive Committee, will meet in the Clipper Room, Trade Winds Motor Hotel,

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1212 Broad Street, Wichita Falls, on April 18, 1985, at noon. Information may be obtained from Edwin B. Daniel, 2101 Kemp Boulevard, Wichita Falls, Texas 76799, (817) 322-5281.

The Central Appraisal District of Rockwall County, Board of Directors, met in the small courtroom, first floor, Rockwall County Courthouse, Rockwall, on April 9, 1985, at 7:30 p.m. Information may be obtained from Ray E. Helm, 106 North San Jacinto, Rockwall, Texas 75087, (214) 722-2034.

The Scurry County Appraisal District, Board of Directors, met in emergency session at K-Bob's Steak House, 4606 College Avenue, Snyder, on April 9, 1985, at noon. Information may be obtained from L. R. Peveler, 2612 College Avenue, Snyder, Texas 79549, (915) 573-8549.
TRD-853018

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Meetings Filed April 9

The Central Counties Center for Mental Health and Mental Retardation Services, Board of Trustees, will meet at 302 South 22nd Street, Temple, on April 16, 1985, at 7:45 p.m. Information may be obtained from Steven B. Schnee, P.O. Box 518, Temple, Texas 76503, (915) 646-9574.

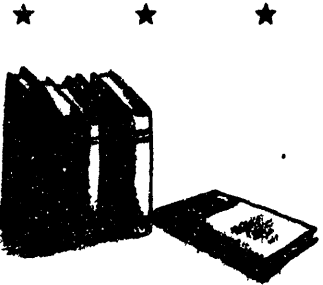
The Dallas Area Rapid Transit Board, Service Plan/Work Program Committee, submitted an emergency revised agenda for a meeting held at 601 Pacific Avenue, Dallas, on April 5, 1985, at 2 p.m. The board also submitted an emergency revised agenda for a meeting held at the same location on April 9, 1985, at 6:30 p.m. Information may be obtained from Nancy McKethan, 601 Pacific Avenue, Dallas, Texas 75202, (214) 748-3278.

The Lower Neches Valley Authority, Board of Directors, will meet at 7850 Eastex Freeway, Beaumont, on April 16, 1985, at 10:30 a.m. Information may be obtained from the

Lower Neches Valley Authority, P.O. Drawer 3464, Beaumont, Texas 77704, (409) 892-4011.

The Trinity River Authority of Texas, Utility Services Committee, will meet at 5300 South Collins Street, Arlington, on April 15, 1985, at 10 a.m. Information may be obtained from Jack C. Worsham, P.O. Box 60, Arlington, Texas 76004-0060, (817) 467-4343.

• TRD-853081



The Legislature

For the purpose of public information, the *Register* publishes a listing of the bills that have been submitted to the governor during each legislative session and the status of these bills. A bill will be listed after the bill has passed both the House and the Senate and again when the Governor acts upon it

Bills Submitted to the Governor

April 1

SB 71 Relating to the renewal fee for a license to operate a youth camp.

Sponsor: Madla

SB 126 Relating to adoption of the Interstate Corrections Compact.

Sponsor: Cain

SB 131 Relating to appointment, qualifications, compensation, fees, powers, and duties of a master in certain district courts in Dallas County and to procedures and use of the master's findings.

Sponsor: Cain

SB 325 Relating to the engineering excellence fund and its distribution and use.

Sponsor: Thompson

SB 397 Relating to the appointment of a deputy assistant adjutant general.

Sponsor: Horn

April 3

SB 78 Relating to the duties of the county attorneys of Callahan County and Coleman County and the criminal district attorney of the 42nd and 104th Judicial Districts.

Sponsor: Parker

SB 137 Relating to the procedure for filing triplicate prescription forms for certain prescriptions, the information required on triplicate prescriptions for controlled substances.

Sponsor: Thompson

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Bills Signed by the Governor

April 3

SB 34 Relating to the regulation of health spa services; providing criminal and civil penalties and enforcement procedures, and providing private actions for damages.

Effective Date: September 1, 1985

SB 78 Relating to the duties of the county attorneys of Callahan and Coleman Counties and the criminal district attorney of the 42nd and 104th Judicial Districts.

Effective Date: immediately

SB 106 Relating to local regulation of certain sexually oriented business activities; providing for penalties.

Effective Date: immediately

SB 133 Relating to the composition of a city planning commission in certain cities.

Effective Date: September 1, 1985

SB 137 Relating to the procedure for filing triplicate prescription forms for certain prescriptions, the information required on triplicate prescriptions for controlled substances.

Effective Date: August 26, 1985

SB 329 Relating to the annual report of the Texas Department of Human Resources.

Effective Date: immediately

SB 380 Relating to the conveyance of certain state-owned real property in Wichita County and use of proceeds.

Effective Date: August 26, 1985

SB 424 Relating to the effect of payment of unemployment compensation benefits to a person who receives an award of back pay and the liability of an employer.

Effective Date: September 1, 1985

HB 374 Relating to the Advisory Council for Technical-Vocational Education in Texas.

Effective Date: immediately

April 4

HB 316 Relating to notice, settlement, damages, and attorney's fees in claims of misrepresentation or unfair competition in the business of insurance.

Effective Date: immediately

April 5

SB 71 Relating to the renewal fee for a license to operate a youth camp.

Effective Date: immediately

SB 126 Relating to adoption of the Interstate Corrections Compact.

Effective Date: January 1, 1986, on passage of Senate Joint Resolution 6

SB 131 Relating to appointment, qualifications, compensation, fees, powers, and duties of a master in certain district courts in Dallas County and to procedures and use of the master's findings.

Effective Date: September 1, 1985

SB 325 Relating to the engineering excellence fund and its distribution and use.

Effective Date: September 1, 1985

SB 397 Relating to the appointment of a deputy assistant adjutant general.

Effective Date: immediately

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In Addition

The *Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings, changes in interest rate and applications to install remote service units, and consultant proposal requests and awards.

To aid agencies in communicating information quickly and effectively, other information of general interest to the public is published as space allows.

Texas Department on Aging Public Hearings

The Texas Department on Aging, pursuant to its 1986-1987 state plan, requests public consideration and input. Copies of the preliminary fiscal year 1986-1987 plan of services administered and funded under the Older Americans Act are available at local area agencies on aging (AAA) or the Texas Department on Aging (TDOA). Call toll-free (800) 252-2940 for the location of the nearest AAA. The preliminary plan also will be available at each of the public hearings listed as follows:

Date	Location	Contact
April 15 1:30 p.m.	Room West 225-A, B, C Auditorium and Convention Center 1901 North Shoreline Drive Bay Front Plaza Corpus Christi	Coastal Bend AAA (512) 883-5743
April 16 2 p.m.	Ramada Inn 3301 Highway 73 East Port Arthur	South East Texas AAA (409) 727-2384
April 16 10 a.m.	Activity Room 234 University Christian Church 2720 South University Drive Fort Worth	Tarrant County AAA (817) 335-3473
April 17 2 p.m.	Conference Room South Plains Council of Governments 3424 Avenue H Lubbock	South Plains AAA (806) 762-8721
April 17 2 p.m.	Hopkins County Civic Center 1200 Houston Street Sulphur Springs	Ark-Tex AAA (214) 832-8635
April 18 2 p.m.	KIVA Inn Motor Hotel 5403 South First Ablene	West Central AAA (915) 672-8544
April 18 10 a.m.	Reading Room Civic Center Highway 90 Uvalde	Middle Rio Grande AAA (512) 876-3533
April 19 2 p.m.	Harvest Home 300 North 11th Street Temple	Central Texas AAA (817) 939-1886

Written statements will be accepted through May 1, 1985, from those who cannot attend in person.

Issued in Austin, Texas, on April 4, 1985.

TRD-852994 O. P. Bobbit
Executive Director
Texas Department on Aging

Filed: April 4, 1985
For further information, please call (512) 475-2717.

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State Banking Board Public Hearings

The hearing officer of the State Banking Board will conduct a hearing at 9 a.m. on May 23, 1985, at 2601 North Lamar Boulevard, Austin, on the charter application for First Bank and Trust of Memphis, Memphis. The application is a conversion application from First National Bank, Memphis, to a state-chartered bank.

Additional information may be obtained from William F. Aldridge, Director of Corporate Activities, Banking Department of Texas, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-4451.

Issued in Austin, Texas, on April 2, 1985.

TRD-852947 William F. Aldridge
Director of Corporate
Activities
Banking Department of
Texas

Filed: April 3, 1985
For further information, please call (512) 475-4451.

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The hearing officer of the State Banking Board will conduct a hearing at 9 a.m. on June 6, 1985, at 2601 North Lamar Boulevard, Austin, on the charter application for Itasca State Bank, Itasca. The application is a conversion application from First National Bank, Itasca, to a state-chartered bank.

Additional information may be obtained from William F. Aldridge, Director of Corporate Activities, Banking Department of Texas, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-4451.

Issued in Austin, Texas, on April 2, 1985.

TRD-852948 William F. Aldridge
Director of Corporate
Activities
Banking Department of
Texas

Filed: April 3, 1985
For further information, please call (512) 475-4451.

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Banking Department of Texas Application to Acquire Control of a State Bank

Texas Civil Statutes, Article 342-401a, require any person who intends to buy control of a state bank to file

an application with the banking commissioner for the commissioner's approval to purchase control of a particular bank. A hearing may be held if the application is denied by the commissioner.

On April 2, 1985, the banking commissioner received an application to acquire control of Bank of Sierra Blanca, Sierra Blanca, by Charles C. Gaither of El Paso.

Additional information may be obtained from William F. Aldridge, 2601 North Lamar Boulevard, Austin, Texas 78705, (512) 475-4451.

Issued in Austin, Texas, on April 2, 1985.

TRD-852949 William F. Aldridge
Director of Corporate
Activities
Banking Department of
Texas

Filed: April 3, 1985
For further information, please call (512) 475-4451.

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Office of Consumer Credit Commissioner 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).

Type of Rate Ceilings Effective Period (Dates are Inclusive)	Consumer ⁽³⁾ Agricultural/Commercial ⁽⁴⁾ thru \$250,000	Commercial ⁽⁴⁾ over \$250,000
Indicated (Weekly) Rate—Article 1.04(a)(1) 04/15/85-04/21/85	18.00%	18.00%
Monthly Rate— Article 1.04(c)(1) 04/01/85-04/30/85	18.00%	18.00%
Standard Quarterly Rate—Article 1.04(a)(2) 04/01/85-06/30/85	18.00%	18.00%
Retail Credit Card Quarterly Rate— Article 1.11(3) 04/01/85-06/30/85	18.00%	N/A
Lender Credit Card Quarterly Rate— Article 15.02(d)(3) 04/01/85-06/30/85	16.42%	N/A
Standard Annual Rate— Article 1.04(a)(2)(2) 04/01/85-06/30/85	18.00%	18.00%
Retail Credit Card Annual Rate— Article 1.11(3) 04/01/85-06/30/85	18.00%	N/A
Annual Rate Applicable to Pre-July 1, 1983, Retail Credit Card and Lender Credit Card		

Type of Rate Ceilings Effective Period (Dates are Inclusive)	Consumer ⁽³⁾ Agricultural/Commercial ⁽⁴⁾ thru \$250,000	Commercial ⁽⁴⁾ over \$250,000
Balances with Annual Implementation Dates from 04/01/85-06/30/85	19.27%	N/A
Judgment Rate— Article 1.05, §2 04/01/85-06/30/85	10.00%	10.00%

- (1) For variable rate commercial transactions only.
(2) Only for open-end credit as defined in Texas Civil Statutes, Article 5069-1.04(1).
(3) Credit for personal, family, or household use.
(4) Credit for business, commercial, investment, or other similar purpose.

Issued in Austin, Texas, on April 8, 1985.

TRD-853020 Sam Kelley
Consumer Credit
Commissioner

Filed: April 8, 1985
For further information, please call (512) 475-2111.

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Texas Department of Community Affairs Consultant Contract Award

The Texas Department of Community Affairs (TDCA) announces that the City of Lindale has been selected as a contract recipient for economic development under the Texas Community Development Program established pursuant to Texas Civil Statutes, Article 4413 (201), §4A. The amount of the contract is \$500,000.

A contract is not effective until executed by the unit of general local government and the executive director of the TDCA.

Issued in Austin, Texas, on April 4, 1985.

TRD-852991 Douglas C. Brown
General Counsel
Texas Department of Community
Affairs

Filed: April 4, 1985
For further information, please call (512) 443-4100.

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Texas Conservation Foundation Consultant Contract Award

In accordance with provisions of Texas Civil Statutes, Article 6252-11c, in reply to the consultant proposal request published in the November 16, 1984, issue of the *Texas Register* (9 TexReg 5994), the Texas Conservation Foundation announces the awarding of a contract to Dr. Joe B. Frantz, 4001 Avenue C, Austin, Texas 78751.

The awardee is to prepare the portions of a book manuscript featuring General Land Office maps and

documents which include chapters with the following working titles: "Little Tennessee," "The East Patchwork," "The Valley," "The Staked Plains," and "The Province." In addition, selected sidebars will be included.

The awardee agrees to provide a completed manuscript by April 12, 1985.

The awardee shall be paid as follows: the sum of \$3,750 already paid under a previous contract; \$3,750 on May 10, 1985, upon delivery and approval of the preliminary draft; \$3,750 upon delivery and approval of the edited and revised manuscript; and \$3,750 upon publication.

Issued in Austin, Texas, on April 3, 1985.

TRD-852973 John Hamilton
 Executive Director
 Texas Conservation Foundation

Filed: April 4, 1985
For further information, please call (512) 475-0342.

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Texas Department of Health Cease and Desist Order

Notice is given that Guardian Inspection Services, Inc., 11613 FM Road 2100, Highlands, Texas 77562, holder of Radioactive Material License 7-2945, having radioactive material which was being used by persons other than those authorized by the license, having stored radioactive material at unauthorized locations, not having provided personnel monitoring to persons who use radioactive material, not having tested a source of radiation at intervals required by the license, and not having used radioactive material while under the control or scrutiny, or with the approval of the radiation safety officer, was ordered by the Bureau of Radiation Control to cease and desist from all operations that result in the use of radioactive material by a person not authorized by the license Condition 12; result in storage of radioactive material at locations other than that authorized by the license Condition 9; result in the use of radioactive material by persons not provided with personnel monitoring in the form of thermoluminescent dosimeters, or other monitoring specifically approved by the agency; are not under the control, scrutiny, or approval of the radiation safety officer; are being conducted with a source of radiation that has not been tested for leakage within six months prior to the time of use; and do not comply with the applicable *Texas Regulations for Control of Radiation* (TRCR) and applicable conditions of license.

In accordance with *Texas Regulations for Control of Radiation* §13.10(f)(1), the person receiving the order has been given opportunity for hearing if the person makes a written application to the agency within 30 days of the order date.

A copy of all relevant material is available for public inspection at the Bureau of Radiation Control, 1212 East Anderson Lane, Austin, from 8 a.m. to 5 p.m., Monday through Friday (except holidays).

THE TEXAS DEPARTMENT OF HEALTH THE TEXAS RADIATION CONTROL AGENCY

ORDER TO:

Guardian Inspection Services, Inc.

Ben B. Holder

Manager

11613 FM Road 2100, Highlands, Texas 77562

WHEREAS, the Texas Radiation Control Act, Texas Civil Statutes, Article 4590f, designates the Texas Department of Health as the Texas Radiation Control Agency (the agency); and

WHEREAS, the Act, §4(d)(3), specifies that the agency shall, for the protection of the occupational and public health and safety and the environment, adopt rules which will provide for licensing relating to control of sources of radiation; and

WHEREAS, the *Texas Regulations for Control of Radiation* are duly adopted rules which provide for licensing relating to control of sources of radiation; and

WHEREAS, the *Texas Regulations for Control of Radiation*, Part 41, §31(a), states that each license issued pursuant to this part shall be subject to all the provisions of the Act, now or hereafter in effect, and to all rules, regulations, and orders of the agency; and

WHEREAS, the *Texas Regulations for Control of Radiation*, Part 41, §31(c), states that each person licensed by the agency pursuant to this part shall confine the use and possession of the material licensed to the locations and purposes authorized in the license; and

WHEREAS, Guardian Inspection Services, Inc., was issued Radioactive Material License 7-2945 (the license) pursuant to the *Texas Regulations for Control of Radiation*, Part 41; and

WHEREAS, Condition 12 of the license states that radioactive material shall be used by those persons listed by name in Condition 12 of the license; and

WHEREAS, an agency inspector determined during a routine inspection conducted on March 21, 1985, that radioactive material was being used by persons other than those listed by name in Condition 12 of the license; and

WHEREAS, the functions of the radiation safety officer are to be conducted by Gary T. Lassu; and

WHEREAS, an agency inspector determined during an inspection conducted on March 21, 1985, that the radiation safety officer is in the State of Wyoming and has resided in Wyoming during periods when radioactive material was in use in the State of Texas; and

WHEREAS, Condition 17 of the license requires that thermoluminescent dosimeters be used for personnel radiation dose measurement during use of the license radioactive material; and

WHEREAS, an agency inspector determined during an inspection conducted on March 21, 1985, that personnel dosimeters were not used or available to the personnel that were using the radioactive material; and

WHEREAS, Condition 15 of the license requires that sealed sources of radiation be tested for leakage of radioactive material at intervals that do not exceed six months; and

WHEREAS, an agency inspector determined during an inspection conducted on March 21, 1985, that a test for leakage of radioactive material from the sealed source of radiation had not been conducted within six months prior to the date of the inspection; and

WHEREAS, Condition 9 of the license authorizes storage of radioactive material only at the T & N Warehouse pipe storage yard located four miles east of Lone Star (Morris County), on FM Road 250; and

WHEREAS, an agency inspector determined during an inspection conducted on March 21, 1985, that radioactive material was stored at 11613 FM Road 2100, Highlands, Texas 77562; and

WHEREAS, Condition 17 of the license requires that a copy of the *Radiation Safety and Procedures Manual* be given to each named user of radioactive material; and

WHEREAS, an agency inspector determined during an inspection conducted on March 21, 1985, that a copy of the procedures manual was not available at the site at which radioactive material was being used; and

WHEREAS, the agency finds that the licensee has failed to comply with the rules of the agency and the conditions of the Texas radioactive material License 7-2945; and

WHEREAS, the agency finds that an emergency exists requiring immediate action to protect the public health and safety and the environment;

NOW THEREFORE, premises considered, and pursuant to Texas Civil Statutes, Article 4590f, §11(c), it is hereby ORDERED that:

(1) Guardian Inspection Services Inc. (the licensee), immediately CEASE AND DESIST from all operations that:

(a) result in the use of radioactive material by persons not authorized by the license Condition 12;

(b) result in storage of radioactive material at locations other than that authorized by the license Condition 9;

(c) result in the use of radioactive material by persons not provided with personnel monitoring in the form of thermoluminescent dosimeters, or other monitoring specifically approved by the agency;

(d) are not under the control, scrutiny, or have been approved by the radiation safety officer;

(e) are being conducted with a source of radiation that has not been tested for leakage within six months prior to the time of use;

(f) do not comply with the applicable *Texas Regulations for Control of Radiation* and applicable Conditions of the License (Radioactive Material License 7-2945).

The order was signed on March 22, 1985, by Richard A. Ratliff, P.E., Director, Division of Compliance and Inspection, Bureau of Radiation Control, Texas Department of Health.

Issued in Austin, Texas, on April 3, 1985.

TRD-853015 Robert A. MacLean
Deputy Commissioner
Professional Services
Texas Department of Health

Filed: April 4, 1985
For further information, please call (512) 835-7000.

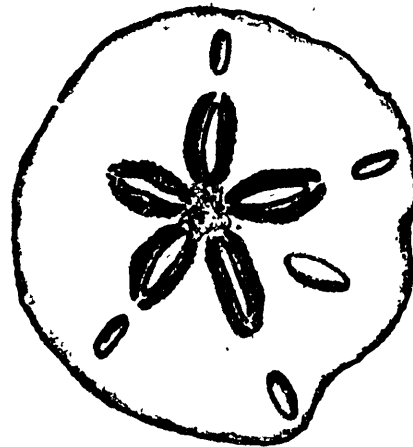
Correction of Error

A proposed rule by the Texas Department of Health contained two errors as submitted in the March 29, 1985, issue of the *Texas Register* (10 TexReg 1061).

In the preamble, the first sentence of the paragraph explaining the fiscal impact for local governments should read: "There is no anticipated fiscal impact on local governments which are now collecting fees for services under these programs."

The new rule should have been published under a new undesignated head reading "Clinical Health Services."

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Texas Health Facilities Commission

Applications Accepted for Amendment, Declaratory Ruling, Notices of Intent, and Petition for Reissuance of Certificate of Need

Notice is hereby given by the Texas Health Facilities Commission of applications accepted as of the date of this publication. In the following list, the applicant is listed first, file number second, the relief sought third, and a description of the project fourth. DR indicates declaratory ruling; AMD indicates amendment of previously issued commission order; CN indicates certificate of need; PFR indicates petition for reissuance; NIE indicates notice of intent to acquire major medical equipment; NIEH indicates notice of intent to acquire existing health care facilities; NIR indicates notice of intent regarding a research project; NIE/HMO indicates notice of intent for exemption of HMO-related project; and EC indicates exemption certificate.

Should any person wish to become a party or interested person to any of the previously stated applications, that person must file a proper request to become a party or interested person to the application within 10 days after the date of this publication of notice. If the 10th day is a Saturday, Sunday, or state holiday, the last day shall be extended to 5 p.m. of the next day that is not a Saturday, Sunday, or state holiday. A request to become a party or interested person should be mailed to the chair of the commission at P.O. Box 50049, Austin, Texas 78763, and must be received at the commission no later

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than 5 p.m. on the last day allowed for filing of a request to become a party or interested person.

The contents and form of a request to become a party or interested person to any of these applications must meet the criteria set out in 25 TAC §515.9. Failure of a party or interested person to supply the necessary information in the correct form may result in a defective request to become a party or interested person.

Real Properties, Inc., and Beverly Enterprises for Leisure Lodge—Rosenberg, Rosenberg
AN84-0507-283R(032885)

PFR—Petition for reissuance of Certificate of Need AN84-0507-283, which authorized the certificate holder to provide skilled nursing services by reclassifying 26 existing ICF beds to skilled beds. The certificate holder also requests an extension of the completion deadline from April 30, 1985, to October 30, 1985.

David W. Nesbit, Seguin
AN85-0329-200

NIEH—Request for a declaratory ruling that a certificate of need is not required for David W. Nesbit to acquire by sublease Nesbit Nursing Home, an existing 120-bed ICF nursing home located in Seguin, from Gibson Nesbit, Jr., and Marion Lee Nesbit. The facility is currently owned by McDonnell Enterprises, Inc., and leased to Gibson Nesbit, Jr., and Marion Lee Nesbit.

HH Holding Company, Inc., a wholly owned subsidiary of Hillhaven, Inc., Tacoma, Washington
AN85-0401-216

DR/NIEH—Request for a declaratory ruling that neither a certificate of need nor a notice of intent to acquire an existing health care facility is required for HH Holding Company, Inc., to acquire Holiday Retirement Center, an existing 78-bed nursing facility located in Sweetwater, from its wholly owned subsidiary, Holiday Retirement Center of Sweetwater, Inc. The acquisition will result from a merger of Holiday Retirement Center of Sweetwater, Inc., into HH Holding Company, Inc., with HH Holding Company, Inc., as the surviving corporation. Or, in the alternative, that only a notice of intent to acquire an existing health care facility is required for the proposed corporate merger.

HH Holding Company, Inc., a wholly owned subsidiary of Hillhaven, Inc., Tacoma, Washington
AN85-0401-217

DR/NIEH—Request for a declaratory ruling that neither a certificate of need nor a notice of intent to acquire an existing health care facility is required for HH Holding Company, Inc., to acquire Golden Age Manor/Long Point, an existing 174-bed nursing facility located in Houston, from its wholly owned subsidiary, Golden Age Manor/Long Point, Inc. The acquisition will result from a merger of Golden Age Manor/Long Point, Inc., into HH Holding Company, Inc., with HH Holding Company, Inc., as the surviving corporation. Or, in the alternative, that only a notice of intent to acquire an existing health care facility is required for the proposed corporate merger.

HH Holding Company, Inc., a wholly owned subsidiary of Hillhaven, Inc., Tacoma, Washington
AN85-0401-218

DR/NIEH—Request for a declaratory ruling that

neither a certificate of need nor a notice of intent to acquire an existing health care facility is required for HH Holding Company, Inc., to acquire Deerings West Nursing Center, an existing 150-bed nursing facility located in Odessa, from its wholly owned subsidiary, Nursing Homes of Midland and Odessa, Inc. The acquisition will result from a merger of Nursing Homes of Midland and Odessa, Inc., into HH Holding Company, Inc., with HH Holding Co., Inc., as the surviving corporation. Or, in the alternative, that only a notice of intent to acquire an existing health care facility is required for the proposed corporate merger.

HH Holding Company, Inc., a wholly owned subsidiary of Hillhaven, Inc., Tacoma, Washington
AN85-0401-219

DR/NIEH—Request for a declaratory ruling that neither a certificate of need nor a notice of intent to acquire an existing health care facility is required for HH Holding Company, Inc., to acquire Deerings Nursing Home, an existing 89-bed nursing facility located in Odessa, from its wholly owned subsidiary, Nursing Homes of Midland and Odessa, Inc. The acquisition will result from a merger of Nursing Homes of Midland and Odessa, Inc., into HH Holding Company, Inc., with HH Holding Company, Inc. as the surviving corporation. Or, in the alternative, that only a notice of intent to acquire an existing health care facility is required for the proposed corporate merger.

HH Holding Company, Inc., a wholly owned subsidiary of Hillhaven, Inc., Tacoma, Washington
AN85-0401-220

DR/NIEH—Request for a declaratory ruling that neither a certificate of need nor a notice of intent to acquire an existing health care facility is required for HH Holding Company, Inc., to acquire Ridgeview Nursing and Convalescent Center, an existing 148-bed nursing facility located in Wichita Falls, from its wholly owned subsidiary, Nursing Homes of Midland and Odessa, Inc. The acquisition will result from a merger of Nursing Homes of Midland and Odessa, Inc., into HH Holding Company, Inc., with HH Holding Company, Inc. as the surviving corporation. Or, in the alternative, that only a notice of intent to acquire an existing health care facility is required for the proposed corporate merger. Ridgeview Nursing and Convalescent Center is currently leased by Nursing Homes of Midland and Odessa, Inc.; HH Holding Company, Inc. will become the lessee and operator of the facility.

HH Holding Company, Inc., a wholly owned subsidiary of Hillhaven, Inc. Tacoma, Washington
AN85-0401-221

DR/NIEH—Request for a declaratory ruling that neither a certificate of need nor a notice of intent to acquire an existing health care facility is required for HH Holding Company, Inc., to acquire Terrace Gardens Nursing Home, an existing 60-bed nursing facility located in Midland, from its wholly owned subsidiary, Nursing Homes of Midland and Odessa, Inc. The acquisition will result from a merger of Nursing Homes of Midland and Odessa, Inc., into HH Holding Company, Inc., with HH Holding Company, Inc., as the surviving cor-

poration. Or, in the alternative, that only a notice of intent to acquire an existing health care facility is required for the proposed corporate merger.

HH Holding Company, Inc., a wholly owned subsidiary of Hillhaven, Inc., Tacoma, Washington

AN85-0401-222

DR/NIEH—Request for a declaratory ruling that neither a certificate of need nor a notice of intent to acquire an existing health care facility is required for HH Holding Company, Inc., to acquire Kilgore Nursing Center, an existing 115-bed nursing facility located in Kilgore, from its wholly owned subsidiary, Kilgore Nursing Center, Inc. The acquisition will result from a merger of Kilgore Nursing Center, Inc., into HH Holding Company, Inc., with HH Holding Company, Inc., as the surviving corporation. Or, in the alternative, that only a notice of intent to acquire an existing health care facility is required for the proposed corporate merger.

HH Holding Company, Inc., a wholly owned subsidiary of Hillhaven, Inc., Tacoma, Washington

AN85-0401-223

DR/NIEH—Request for a declaratory ruling that neither a certificate of need nor a notice of intent to acquire an existing health care facility is required for HH Holding Company, Inc., to acquire Greencrest Manor, an existing 112-bed nursing facility located in Greenville, from its wholly owned subsidiary, Greencrest Manor, Inc. The acquisition will result from a merger of Greencrest Manor, Inc. into HH Holding Company, Inc., with HH Holding Company, Inc., as the surviving corporation. Or, in the alternative, that only a notice of intent to acquire an existing health care facility is required for the proposed corporate merger. Greencrest Manor is currently leased by Greencrest Manor, Inc; and HH Holding Company, Inc., will become the lessee and operator of the facility.

HH Holding Company, Inc., a wholly owned subsidiary of Hillhaven, Inc., Tacoma, Washington

AN85-0401-224

DR/NIEH—Request for a declaratory ruling that neither a certificate of need nor a notice of intent to acquire an existing health care facility is required for HH Holding Company, Inc., to acquire Park Haven Nursing Center, an existing 100-bed nursing facility located in Greenville, from its wholly owned subsidiary, Park Haven Nursing Center, Inc. The acquisition will result from a merger of Park Haven Nursing Center, Inc. into HH Holding Company, Inc., with HH Holding Company, Inc. as the surviving corporation. Or, in the alternative, that only a notice of intent to acquire an existing health care facility is required for the proposed corporate merger.

HH Holding Company, Inc., a wholly owned subsidiary of The Hillhaven Corporation, Inc., Tacoma, Washington

AN85-0401-225

DR/NIEH—Request for a declaratory ruling that neither a certificate of need nor a notice of intent to acquire an existing health care facility is required for HH Holding Company, Inc., to acquire Terrace West Nursing Center, an existing 150-bed nursing facility located in Midland, from its wholly

owned subsidiary, Nursing Homes of Midland and Odessa, Inc. The acquisition will result from a merger of Nursing Homes of Midland and Odessa, Inc. into HH Holding Company, Inc., with HH Holding Company, Inc., as the surviving corporation. Or, in the alternative, that only a notice of intent to acquire an existing health care facility is required for the proposed corporate merger.

HH Holding Company, Inc., a wholly owned subsidiary of The Hillhaven Corporation, Inc. Tacoma, Washington

AN85-0401-226—Request for a declaratory ruling that a certificate of need is not required for HH Holding Company, Inc., a wholly owned subsidiary of The Hillhaven Corporation, to acquire by purchase Golden Age Manor/Holmes, an existing 120-bed ICF nursing facility located in Houston, from Bankers Life Nebraska. The facility is currently being leased and operated by Golden Age Manor/Holmes, Inc., a wholly owned subsidiary of HH Holding Company, Inc. When HH Holding Company, Inc., acquires the facility, Golden Age Manor/Holmes, Inc., will assign its leasehold interest to HH Holding Company, Inc., and Golden Age Manor/Holmes, Inc., will no longer be the operator/licensee.

HH Holding Company, Inc.; a wholly owned subsidiary of The Hillhaven Corporation, Inc., Tacoma, Washington

AN85-0401-227

NIEH—Request for a declaratory ruling that a certificate of need is not required for HH Holding Company, Inc., a wholly owned subsidiary of The Hillhaven Corporation, to acquire by purchase Golden Age Manor/North Loop, an existing 200-bed nursing facility with 144 ICF and 56 skilled beds located in Houston, from Bankers Life Nebraska. The facility is currently being leased and operated by Golden Age Manor/North Loop, Inc., a wholly owned subsidiary of HH Holding Company, Inc. When HH Holding Company, Inc., acquires the facility, Golden Age Manor/North Loop, Inc., will assign its leasehold interest to HH Holding Company, Inc; and Golden Age Manor/North Loop, Inc., will no longer be the operator/licensee.

HH Holding Company, Inc., a wholly owned subsidiary of The Hillhaven Corporation, Inc., Tacoma, Washington

AN85-0401-228

NIEH—Request for a declaratory ruling that a certificate of need is not required for HH Holding Company, Inc., a wholly owned subsidiary of The Hillhaven Corporation, to acquire by purchase Golden Age Manor/Bellfort, an existing 200-bed nursing facility with 144 ICF and 56 skilled beds located in Houston, from Bankers Life Nebraska. The facility is currently being leased and operated by Golden Age Manor/Bellfort, Inc., a wholly owned subsidiary of HH Holding Company, Inc., When HH Holding Company, Inc., acquires the facility, Golden Age Manor/Bellfort, Inc., will assign its leasehold interest to HH Holding Company, Inc; and Golden Age Manor/Bellfort, Inc., will no longer be the operator/licensee.

Drexel Retirement Project 1, Ltd., a Texas limited partnership, Dallas

AN85-0401-229

NIEH—Request for a declaratory ruling that a cer-

tificate of need is not required for Drexel Retirement Project 1, Ltd., a Texas limited partnership, to acquire by purchase Towers at Fort Sam Houston Health Care Center, an approved, but not yet completed 120-bed nursing facility with 60 skilled and 60 private pay beds to be located in San Antonio, from Towers at Fort Sam Houston, Ltd., a Texas limited partnership.

Issued in Austin, Texas, on April 8, 1985.

TRD-853022 John R. Neel
 General Counsel
 Texas Health Facilities
 Commission

Filed: April 8, 1985
For further information, please call (512) 475-6940.

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