

September 3, 2024

UPDATED TEXAS ADMINISTRATIVE CODE (TAC) REFERENCES IN CDS FORMS

BACKGROUND

As part of the transformation of the Health and Human Services (HHS) system, rule chapters are being relocated in the Texas Administrative Code (TAC). Effective September 1, 2024, rules in 40 TAC Social Services and Assistance, Part 1, Department of Aging and Disability Services, Chapter 41, Consumer Directed Services Option, are transferred to 26 TAC Health and Human Services, Part 1, Health and Human Services Commission, Chapter 264, Consumer Directed Services Option.

MCOs should reference the new TAC chapters beginning September 1, 2024. All letters, memoranda, and other guidance remain in effect while HHSC updates outdated references.

KEY DETAILS

MCOs must notify service coordinators and financial management services agencies (FMSAs) of the TAC rule transfer and updated TAC references in the following CDS forms and instructions, effective the date of publication:

- [Form 1586](#) Acknowledgement of Information Regarding Support Consultation Services in the Consumer Directed Services (CDS) Option
- [Form 1720](#) Appointment of a Designated Representative
- [Form 1735](#) Employer and Financial Management Services Agency Service Agreement
- [Form 1736](#) Documentation of Employer Orientation by Financial Management Services Agency
- Instructions for [Form 1740](#) Service Backup Plan
- Instructions for [Form 1741](#) Corrective Action Plan

MCOs should remind FMSAs and CDS employers to download forms directly from the [CDS Handbook](#) webpage to ensure the most updated version of the form is used.

ADDITIONAL INFORMATION

The [rule transfer notices](#) were posted in the July 12, 2024 issue of the *Texas Register*.

RESOURCES

CDS Handbook page: <https://www.hhs.texas.gov/handbooks/consumer-directed-services-handbook>

Texas Register notice: <https://www.sos.state.tx.us/texreg/archive/July122024/Transferred-Rules/Transferred-Rules.html#127>

Rule Transfer Table: <https://www.sos.state.tx.us/texreg/archive/July122024/Transferred-Rules/202402837-1.pdf>