

TABLES & GRAPHICS

Graphic images included in rules are published separately in this tables and graphics section. Graphic images are arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic images are indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word “Figure” followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph, and so on.

Figure: 10 TAC §11.2(a)

Deadline	Documentation Required
01/02/2024	Application Acceptance Period Begins. Public Comment period starts.
01/05/2024	Pre-Application Final Delivery Date (including waiver requests).
02/15/2024	Deadline for submission of Request for Preliminary Determination in accordance with §11.8(d) of this chapter.
02/15/2024	Deadline for submission of Application for .ftp access if pre-application not submitted.
Deadline	Documentation Required
03/01/2024	End of Application Acceptance Period and Full Application Delivery Date (including Quantifiable Community Participation documentation; Environmental Site Assessments (ESAs), Scope and Cost Reviews (SCRs); Appraisals; Primary Market Area Map; Feasibility Report; all Resolutions necessary under §11.3 of this chapter related to Housing De-Concentration Factors). Final Input from Elected Officials Delivery Date (including Resolution for Local Government Support pursuant to §11.9(d)(1) of this chapter and State Representative Input pursuant to §11.9(d)(5) of this chapter.
04/04/2024	Market Analysis Delivery Date pursuant to §11.205 of this chapter.
05/03/2024	Deadline for Third Party Request for Administrative Deficiency.

Early June 2024	Scoring Notices Issued for Majority of Applications Considered "Competitive."
06/03/2024	Public comment deadline for the comment to be included in the Board materials relating to the July presentation of awards are due in accordance with §1.10.
June 2024	On or before June 30, publication of the list of Eligible Applications for Consideration for Award in July.
July 2024	On or before July 31, Board issuance of Final Awards.
Deadline	Documentation Required
August 2024	Commitments are Issued.
11/01/2024	Carryover Documentation Delivery Date.
07/01/2025	10% Test Documentation Delivery Date.
12/31/2026	Placement in Service.
Five business days after the date on the Deficiency Notice (without incurring point loss)	Administrative Deficiency Response Deadline (unless an extension has been granted).

Figure: 10 TAC §11.1002

Deadline	Documentation Required
3/01/2024	Full Application Delivery Deadline, must include completed Intent to Request a State Housing Tax Credit Allocation
8/31/2024	State Housing Tax Credit Request Form due
September 2024	Allocation Certificates issued

Figure: 25 TAC §604.2(1)

**DISCLOSURE AND CONSENT FOR
RADIATION THERAPY**

TO THE PATIENT: You have the right to be informed about 1) your condition, 2) the recommended radiation therapy procedure to be used to treat your condition, and 3) the risks related to the radiation therapy procedure. This disclosure is designated to provide you this information, so that you can decide whether to consent to receive the recommended procedure. Please ask your physician/healthcare provider any remaining questions you have before signing this form.

Description of Radiation Therapy Procedure(s) risk of early and late reactions

I voluntarily request my physician [name/credentials]

_____ and other health care providers to treat my condition which is:

_____.

I understand that the following radiation therapy procedure(s) are planned for me (specify technique and site):

_____.

I understand that my condition may be treated with external beam radiation therapy alone, with internal radiation implant alone or with both or in planned combination with surgery and/or chemotherapy.

I agree to the taking of photographs or placing of tattoo or skin marks on me if necessary for treatment.

Risks Related to Radiation Therapy Procedure(s)

Just as there may be risks and hazards to my health without treatment, there are also risks and hazards related to the procedure(s) planned for me. The chances of these occurring may be different for each patient based on the procedure(s) and the patient's current health.

INITIAL ONE:

I understand that radiation can be harmful to the unborn child.

I am I could be I am not pregnant.

INITIAL IF APPLICABLE:

I HAVE AN IMPLANTED ELECTRONIC DEVICE (such as a pacemaker, defibrillator or nerve stimulator). I understand radiation to the device can cause malfunction of the device.

I understand that the risks from radiation therapy may occur during or shortly after the course of treatment ("early reactions"), or sometime later ("late reactions"). The risks may be temporary or permanent.

These risks may be made worse if you have received chemotherapy or surgery before, during or after radiation therapy or if you had radiation therapy before to the same area. Risks of early and late reactions which could occur as a result of the procedure(s) are listed below. With few exceptions, these reactions affect only the areas of the body actually receiving the radiation therapy.

Risks for this specific part of the body receiving radiation therapy, which are divided into early and late reactions, include, but are not limited to **[include List A risks here and additional risks if any]:**

Granting of Consent for Radiation Therapy Procedure(s)

By signing below, I consent to the radiation therapy procedure(s) described above. I acknowledge the following:

- I understand this procedure(s) does not guarantee a result of a cure to my condition.
- I have been given an opportunity to ask questions I may have about:
 1. Alternative forms of treatment,
 2. Risks of non-treatment,
 3. Steps that will occur during my procedure(s), and
 4. Risks and hazards involved in the procedure(s).
- I believe I have enough information to give this informed consent.
- I certify this form has been fully explained to me and the blank spaces have been filled in.
- I have read this form or had it read to me.
- I understand the information on this form.

If any of those statements are not true for you, please talk to your physician/health care provider before continuing.

Patient/Other Legally Authorized Representative (signature required):

Print Name

Signature

If Legally Authorized Representative, list relationship to Patient:

Date: _____ Time: _____ A.M./P.M.

Witness:

Print Name

Signature

Address (Street or P.O. Box)

City, State, Zip Code

**INFORMACIÓN Y CONSENTIMIENTO
PARA RECIBIR RADIOTERAPIA**

AL PACIENTE: Usted tiene el derecho a ser informado sobre 1) su enfermedad, 2) el procedimiento de radioterapia recomendado para tratar su enfermedad y 3) los riesgos relacionados con el procedimiento de radioterapia. La información que aquí presentamos tiene como fin que usted pueda tomar la decisión de dar o no su consentimiento para recibir esta atención o procedimiento médicos. Antes de firmar este formulario, le recomendamos que consulte con su médico o proveedor

Descripción de los procedimientos de radioterapia

De manera voluntaria, solicito a mi médico o proveedor de atención médica [nombre/acreditaciones] _____, así como a otros proveedores de atención médica, que den tratamiento a mi enfermedad que es:

_____.

Entiendo que se han planeado para mí los siguientes procedimientos de radioterapia (especifique la técnica y el lugar):

_____.

Entiendo que mi enfermedad puede ser tratada solo con radioterapia externa, solo con implante, de radiación interna o con ambas, o en combinación con una cirugía o quimioterapia.

Estoy de acuerdo con la toma de fotografías o la colocación de tatuajes o marcas en mi piel si es necesario para el tratamiento.

_____.

Riesgos relacionados con el procedimiento de radioterapia

Al igual que puede haber riesgos y peligros para mi salud si no recibo ningún tratamiento, también existen riesgos y peligros relacionados con el tratamiento o procedimiento que se tiene planeado realizarme. Las probabilidades de que algo de lo anterior ocurra varían en cada persona, ya que dependen de la atención médica o procedimiento y del estado de salud actual del paciente.

PONER SUS INICIALES EN UNA OPCIÓN:

Entiendo que la radiación puede ser perjudicial para el bebé en desarrollo.

Estoy Podría estar No estoy embarazada.

[] INICIALES SI CORRESPONDE:

TENGO UN DISPOSITIVO ELECTRÓNICO IMPLANTADO (como un marcapasos, un desfibrilador o un estimulador neural). Entiendo que la radiación aplicada al dispositivo puede causar un mal funcionamiento del mismo.

Entiendo que los riesgos de la radioterapia pueden ocurrir durante el tratamiento o poco después (reacciones tempranas) o algún tiempo después (reacciones tardías). Los riesgos pueden ser temporales o permanentes.

Estos riesgos pueden empeorar si usted ha recibido quimioterapia o cirugía antes, durante o después de la radioterapia o si ha recibido radioterapia anteriormente en la misma área. A continuación, se enumeran los riesgos de las reacciones tempranas y tardías que podrían producirse como consecuencia del procedimiento o procedimientos. Con pocas excepciones, estas reacciones solo afectan a las áreas del cuerpo que realmente reciben la radioterapia.

Los riesgos para esta parte específica del cuerpo que recibe radioterapia, que se dividen en reacciones tempranas y tardías, incluyen, entre otros **[incluya aquí los riesgos de la Lista A y los riesgos adicionales si los hay]:**

Dar consentimiento para el procedimiento de radioterapia

Mediante mi firma más abajo, doy mi consentimiento para que se me realicen los procedimientos de radioterapia descritos anteriormente. Reconozco lo siguiente:

- Entiendo que estos procedimientos médicos no garantizan la conclusión o la curación de mi enfermedad.
- Se me ha dado la oportunidad de hacer preguntas para aclarar mis posibles dudas sobre:
 1. Tratamientos alternativos
 2. Los riesgos de no recibir ningún tratamiento.
 3. Los pasos que se darán durante los procedimientos médicos o quirúrgicos a los que me someta, y
 4. Los riesgos y peligros que conllevan los procedimientos médicos o quirúrgicos.
- Considero que he recibido suficiente información para dar este consentimiento informado.
- Certifico que se me ha explicado completamente el contenido de este formulario y que sus espacios en blanco han sido llenados.
- He leído este formulario o alguien me lo ha leído.
- Entiendo la información contenida en este formulario.

Si alguna de las declaraciones anteriores no es aplicable a usted, comuníquese con su médico o proveedor de atención médica antes de continuar.

EL PACIENTE/OTRO REPRESENTANTE AUTORIZADO (la firma es obligatoria)

Nombre en letra de molde

Firma

Si usted es el representante legalmente autorizado, indique cuál es su relación con el paciente:

FECHA: _____ **HORA:** _____
A.M./P.M.

TESTIGO:

Nombre en letra de molde

Firma

Dirección (calle y número o apartado postal)

Ciudad, estado y código postal

Texas Health and Human Services Commission (HHSC)

Information Regarding Authorized Electronic Monitoring

A resident, or the resident's guardian or legally authorized representative, is entitled to conduct authorized electronic monitoring (AEM) under Health and Safety Code §247.003. To request AEM, you, your guardian, or your legally authorized representative, must:

- (1) complete the Request for Authorized Electronic Monitoring form (available from the facility);
- (2) obtain the consent of other residents, if any, in your room, using the Consent to Authorized Electronic Monitoring form (available from the facility); and
- (3) give the form to the facility manager or designee.

Who may request AEM?

- (1) The resident, if the resident has capacity to request AEM and has not been judicially declared to lack the required capacity.
- (2) The guardian of the resident, if the resident has been judicially declared to lack the required capacity.
- (3) The legally authorized representative of the resident if the resident does not have capacity to request AEM and has not been judicially declared to lack the required capacity.

Who determines if the resident does not have the capacity to request AEM?

The resident's practitioner will make the determination regarding the resident's capacity to request AEM. When the resident's practitioner has determined the resident lacks capacity to request AEM, a person from the following list, in order of priority, may act as the resident's legally authorized representative for the limited purpose of requesting AEM:

- (1) a person named in the resident's medical power of attorney or another advance directive;
- (2) the resident's spouse;
- (3) an adult child of the resident who has the waiver and consent of all other qualified adult children of the resident to act as the sole decision-maker;

(4) a majority of the resident's reasonably available adult children;

(5) the resident's parents; or

(6) the individual clearly identified to act for the resident by the resident before the resident became incapacitated or the resident's nearest living relative.

Who must consent to AEM?

(1) Any other resident residing in the room.

(2) The guardian of the other resident, if the resident has been judicially declared to lack the required capacity.

(3) The legally authorized representative of the other resident if the resident does not have capacity to sign the form but has not been judicially declared to lack the required capacity. The legally authorized representative is determined by following the procedure for determining a legally authorized representative, as stated above, under "Who determines if the resident does not have the capacity to request AEM?"

Can a resident be discharged or refused admittance for requesting AEM?

A facility may not refuse to admit an individual and may not discharge a resident because of a request to conduct AEM. If either of these situations occur, you should report the occurrence to the local office of Long-term Care Regulation, HHSC.

What about covert electronic monitoring?

A facility may not discharge a resident because covert electronic monitoring is being conducted by or on behalf of a resident. A facility attempting to discharge a resident because of covert electronic monitoring should be reported to the local office of Long-term Care Regulation, HHSC.

What is required if a covert electronic monitoring device is discovered?

If a covert electronic monitoring device is discovered by a facility and is no longer covert as defined in §553.3 of this chapter (relating to Definitions), the resident must meet all requirements for AEM before monitoring is allowed to continue.

Is notice of AEM required?

Anyone conducting AEM must post and maintain a conspicuous notice at the entrance to the resident's room. The notice must state that an electronic monitoring device is monitoring the room.

What is required for the installation of monitoring equipment?

The resident, or the resident's guardian or legally authorized representative, must pay for all costs associated with conducting AEM, including installation in compliance with life safety and electrical codes, maintenance, removal of the equipment, posting and removal of the notice, or repair following removal of the equipment and notice, other than the cost of electricity.

A facility may require an electronic monitoring device to be installed in a manner that is safe for residents, employees, or visitors who may be moving about the room. A facility may also require that AEM be conducted in plain view.

The facility must make reasonable physical accommodation for AEM, which includes providing:

(1) a reasonably secure place to mount the video surveillance camera or other electronic monitoring device; and

(2) access to power sources for the video surveillance camera or other electronic monitoring device.

If the facility refuses to permit AEM or fails to make reasonable physical accommodations for AEM, you should report the facility's refusal to the local office of Long-term Care Regulation, HHSC.

Are facilities subject to administrative penalties for violations of the electronic monitoring rules?

Yes. HHSC may assess an administrative penalty (see §553.751 of this chapter (relating to Administrative Penalties)) against a facility for each instance in which the facility:

(1) refuses to permit a resident, or the resident's guardian or legally authorized representative, to conduct AEM;

(2) refuses to admit an individual or discharges a resident because of a request to conduct AEM;

(3) discharges a resident because covert electronic monitoring is being conducted by or on behalf of the resident; or

(4) violates any other provision relating to AEM.

How does AEM affect the reporting of abuse and neglect?

Section 553.293 of this subchapter (relating to Abuse, Neglect, or Exploitation Reportable to HHSC by Facilities) requires facility staff to report abuse or neglect. If abuse or neglect has occurred, the most important thing is to report it. Abuse and neglect cannot be addressed unless reported.

For purposes of the duty to report abuse or neglect, the following apply:

(1) A person who is conducting electronic monitoring on behalf of a resident is considered to have viewed or listened to a recording made by the electronic monitoring device on or before the 14th day after the date the recording is made.

(2) If a resident, who has capacity to determine that the resident has been abused or neglected and who is conducting electronic monitoring, gives a recording made by the electronic monitoring device to a person and directs the person to view or listen to the recording to determine whether abuse or neglect has occurred, the person to whom the resident gives the recording is considered to have viewed or listened to the recording on or before the seventh day after the date the person receives the recording.

(3) A person is required to report abuse based on the person's viewing of or listening to a recording only if an incident of abuse is indicated on the recording. A person is required to report neglect based on the person's viewing of or listening to a recording only if it is clear from viewing or listening to the recording that neglect has occurred.

(4) If abuse or neglect of the resident is reported to the facility and the facility requests a copy of any relevant recording made by an electronic monitoring device, the person who possesses the recording must provide the facility with a copy at the facility's expense. The cost of the copy cannot exceed the community standard.

(5) A person who sends more than one recording to HHSC must identify each recording on which the person believes an incident of abuse or evidence of neglect may be found. Tapes or recordings should identify the place on the recording that an incident of abuse or evidence of neglect may be found.

What is required for the use of a recording by an agency or court?

(a) Subject to applicable rules of evidence and procedure, a recording created through the use of covert monitoring or AEM may be admitted into evidence in a civil or criminal court action or administrative proceeding.

(b) A court or administrative agency may not admit into evidence a recording created using covert monitoring or AEM or take or authorize action based on the recording unless:

(1) the recording shows the time and date the events on the recording occurred, if the recording is a video recording;

(2) the contents of the recording have not been edited or artificially enhanced; and

(3) any transfer of the contents of the recording was done by a qualified professional and the contents were not altered if the contents have been transferred from the original format to another technological format.

Are there additional provisions of the law?

A person who places an electronic monitoring device in the room of a resident or who uses or discloses a recording made by the device may be civilly liable for any unlawful violation of the privacy rights of another.

A person who covertly places an electronic monitoring device in the room of a resident or who consents to or acquiesces in the covert placement of the device in the room of a resident has waived any privacy right the person may have had in connection with images or sounds that may be acquired by the device.

Signature of Resident/Person Signing of Behalf of Resident Date

Figure: 37 TAC §36.60(a)

Violation	1st Violation	2nd within 2 years	3rd within 2 years	4th within 2 years
Address				
Address on File. (37 TAC §36.3)	Reprimand	Admin Penalty up to \$250	Suspension 60 days	Revocation
Forms				
Forms. (37 TAC §36.4)	Reprimand	Admin Penalty up to \$250	Suspension 60 days	Revocation
Declaration of Extent of Catalytic Converter Transactions (Occ. Code §1956.022, .024, or .127)	Admin Penalty up to \$250	Admin Penalty up to \$500	Suspension 60 days	Revocation
Ownership				
Change in Ownership. (37 TAC §36.13)	Admin Penalty up to \$250	Admin Penalty up to \$500	Suspension 60 days	Revocation
Locations				
Adding or Changing Locations. (37 TAC §36.18)	Admin Penalty up to \$250	Admin Penalty up to \$500	Suspension 60 days	Revocation
Notice to Sellers. (Occ. Code §1956.031)	Admin Penalty up to \$250	Admin Penalty up to \$500	Suspension 60 days	Revocation
Display Current Certificate of Registration (37 TAC §36.15(c))	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Records				
Information Regarding Seller. (Occ. Code §1956.032)	Reprimand	Admin Penalty up to \$500	Admin Penalty up to \$1000	Revocation
Record of Purchase. (Occ. Code §1956.033)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Documentation of Fire-Salvaged Insulated Communications Wire. (37 TAC §36.33)	Reprimand	Admin Penalty up to \$500	Admin Penalty up to \$1000	Revocation
Photograph or Recording Requirement (Occ. Code §1956.0331)	Reprimand	Admin Penalty up to \$500	Admin Penalty up to \$1000	Revocation
Preservation of Records. (Occ. Code §1956.034)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Inspection of Records. (Occ. Code §1956.035)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Reporting Requirements. (37 TAC §36.31)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Furnishing of Report to Department. (Occ. Code §1956.036)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Placement of Items on Hold. (Occ. Code §1956.037)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation

Conduct						
Standards of Conduct. (37 TAC §36.36 (a), (b), or (d))		Admin Penalty up to \$500	Admin Penalty up to \$500	Suspension 60 days	Revocation	
Explosives. (37 TAC §36.36 (c))		Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation	
Hours for Purchasing Material. (Occ. Code §1956.039)		Reprimand	Admin Penalty up to \$250	Suspension 60 days	Revocation	
Notice of Restrictions. (Occ. Code §1956.104)		Reprimand	Admin Penalty up to \$250	Suspension 60 days	Revocation	
Operating After Expiration of Registration. (Occ. Code §1956.021; §1956.023(d))		Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation	
Misrepresentation of Registration Status When Expired. (Occ Code §1956.021; §1956.023(d))		Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation	
Catalytic Converter Requirements. (Occ. Code §1956.0321; §1956.033; §1956.034; §1956.125)		Admin Penalty up to \$500	Admin Penalty up to \$1,000	Suspension 60 days	Revocation	
Catalytic Converter Requirements. (Occ. Code §1956.123; Occ. Code §1956.124)		Admin Penalty up to \$5,000	Admin Penalty up to \$10,000	Suspension 60 days and Admin Penalty up to \$10,000	Revocation and Admin Penalty up to \$10,000	
Training						
Texas Metals Program Recycler Training. (37 TAC §36.34)		Reprimand	Admin Penalty up to \$250	Suspension 60 days	Revocation	
Payment						
Payment by Metal Recycling Entry. (37 TAC §36.35, Occ. Code §1956.0381, or §1956.038(b))		Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation	
Cash Transaction Card. (Occ. Code, §1956.0382)		Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation	
Cash Transaction Card. (37 TAC §36.37)		Reprimand	Admin Penalty up to \$500	Admin Penalty up to \$1000	Revocation	
Solicitation						
Solicitation of Purchase at Prohibited Location. (Occ. Code §1956.203)		Admin Penalty up to \$250	Admin Penalty up to \$500	Suspension 60 days	Revocation	

Please note: For violations not listed above, the department may impose a penalty not to exceed \$500 for the first violation, and \$1,000 for the second violation within the preceding one-year period, under the authority of Rule 36.60(a).