

POLICY AND PROCEDURES FOR THE RULES PROCESS**POLICY/STANDARDS/QUALITY ASSURANCE (PSQA) UNIT
ENVIRONMENTAL AND CONSUMER SAFETY SECTION
DIVISION FOR REGULATORY SERVICES****SECTION 1: CONSIDERING A RULE CHANGE?**

The Program staff or the Unit Director will determine that there is a need for a rule change. The following are some of the most common reasons for initiating a rule change:

- 4-year rule review
- Legislation/change in statutes
- To be consistent with federal rule changes; or
- New program requirements (i.e., inspection requirements or new application requirements)

SECTION 2: NOTIFYING PSQA UNIT OFFICE OF RULE CHANGE

- 1) When the Program Manager determines there is a justifiable need to revise a rule, the Group Manager should communicate with Unit Manager and copy the Unit Rules Coordinator by email to give notice of the proposed rule revision, any possible controversy to rule change, and the PSQA staff member who will act as the lead for the rule project.
- 2) Upon notification to Unit Manager and Unit Rules Coordinator of the intent to take Rule to council, Unit Rules Coordinator will send to program the time line for the appropriate council meeting. The time line for the rule packet may be accessed at the following link: **<http://online.dshs.state.tx.us/rulemaking/timelines.htm>**
- 3) If requested by Program Manager, the Unit Rules Coordinator will coordinate an internal first planning meeting.

SECTION 3: STARTING THE RULES PLANNING PROCESS

Once the Program Manager and staff have decided a rule needs to be reviewed they need to notify the Unit Manager and Unit Rules Coordinator of the intent to start the process:

Section 3.A - Internal Meeting

- 1) Begin meeting with internal Stakeholders.
 - a) Send notification to the appropriate PSQA Managers, Inspection Unit Manager, Licensing Unit Manager, Enforcement Unit Manager, and the OGC program attorney. Be sure to include Unit Manager and Unit Rules Coordinator in the first meeting. All participants should be prepared to bring comments to each meeting.

Email Unit Rules Coordinator if you need to obtain a room and/or send out materials.

- b) The email should include: the date, time, and location of the meeting, the name of the PSQA lead for this rule project, a copy of the rule to be reviewed, and a solicitation and due date for any rule change ideas people may already have so PSQA can compile a list for discussion at the meeting.
 - c) If this is a brand new rule, the PSQA Program Staff will develop a draft of the rule in order to initiate discussion.
- 2) During your meeting, set meeting rules, choose a council meeting date (see Section 3.B below on - How to Pick a Council Date), establish a time line (include subsequent meeting dates). Include milestones to ensure everyone is aware of internal comment and rule drafting deadlines. Be sure to plan ample time for Stakeholder notifications, input, and decide how early in the process Stakeholders should be brought in (see Section 3.C below – Interaction with Stakeholders). *Note: the number of meetings needed is a reflection of the complexity of the rule and changes anticipated.*
- 3) The PSQA lead should bring copies of the rule, all compiled comments, and copies of up-coming council dates and time lines, if available. It is highly recommended you have a computer and infocus machine at the meeting which will allow you to make technical and wording changes. That way, just clean up on formatting can be done quickly and the new draft sent out.
- 4) Notify the PSQA Unit Manager and Unit Rules Coordinator of the chosen council date.
- 5) Large rule changes should be broken up for discussion into separate meetings and delineated on the time line.
- 6) Rule text and language should be discussed during the meeting and drafts of the meeting should be sent out to the group at least 5 business days (or sooner, if possible) prior to the next meeting.
- 7) Once the entire rule has been reviewed have a final meeting to go over rule packet forms and rule changes.

PLEASE NOTE: This is the time for all participants to bring up recommended changes to rule language. It is imperative all participants read drafts sent out and bring comments to each meeting or submit to rule lead prior to meeting. Last minute changes to the rule during the official submission process in 4.B - 4.D can significantly delay the rule process.

Section 3.B - How to Pick a Council Date

- 1) Council meetings vary each year. The DSHS website will list the current meeting dates: <http://online.dshs.state.tx.us/rulemaking/timelines.htm>.
- 2) Dates should be chosen after considering the following:
 - a) Required effective date of the rule may be a factor due to legislation or other state or federal mandates.

Depending on how soon the revisions need to become effective, determines how much time the program has to seek stakeholder input and get the packet moving through the rulemaking process. The formal rule process begins with the submission of the Rule Making Notification Form (RNF) and ends with the adoption of the rule and it becoming effective. This takes approximately 10 months, if all deadlines are met as noted in the Rulemaking Process Timeline. *Note:* If there is a deadline stipulated in statute, notify the PSQA Unit Office immediately. A request to accelerate the proposal and adoption schedule may be made to CPCPI and HHSC.

b) Anticipation of Stakeholder controversy:

DSHS Council strongly recommends that the program solicit stakeholder input far in advance of the rule being published as a proposed rule in the *Texas Register*, and before the formal comment period. Program staff is responsible for notifying Stakeholders of the intention to submit proposed rules, and for obtaining necessary stakeholder feedback throughout the rulemaking process. See DSHS Rulemaking Process website: *Part II - What Stakeholders or Advisory Committees (including MCAC) Need to be Contacted* <http://online.dshs.state.tx.us/rulemaking/part2.htm>

If no controversy is anticipated, the program can proceed with stakeholder input.

If controversy is anticipated, the program should schedule at least one face-to-face stakeholder meeting to work out the issue(s) and come to a compromise or consensus on the changes. The DSHS Council prefers not to be surprised by unaddressed controversial issues at the Council meeting.

3) Picking the Council Date:

- a) If the rule is noncontroversial and only minor changes (such as a 4-year rule review) will be done, then a date three to six months out should be chosen. For example, if today's date is October 1st, then choose the January or April Council meeting.
- b) If rule is noncontroversial with major changes and needing Stakeholder input, then pick a date at least six months out.
- c) If the rules are controversial and Stakeholder comments are expected, then choose a date that is nine to twelve months out.

Section 3.C - Interaction with Stakeholders

If rules generally involve extensive interaction with Stakeholders, the following should be considered when determining Stakeholder input:

- 1) For comments before drafting new rules on amendments, notify Stakeholders prior to renewing the rules.
- 2) All other Stakeholder input should be solicited after a "final draft." Be sure to leave plenty of time in the time line between the completion of the draft and the due date for the rule packet.

- 3) The program may choose to post a copy of the draft proposed rules on the program's website to solicit informal Stakeholder input for a defined period of time to gauge response. If needed, the Unit Rules Coordinator will provide a draft set of rules for the program to post. The draft will be marked as follows:

- The page number in footer will read "Draft Proposed - 1"
- "DRAFT" will be included with the revision date in the header, and
- The first line of the legend will state:

Legend: (DRAFT Proposed Rule Revised 05/09)

OGC should be contacted if there are any concerns regarding the draft version to be posted on the web.

- 4) All issues, (both from DSHS staff and External Stakeholders) should be resolved before the rule goes forward to the formal rule process. All comments received during the formal comment period have to be addressed and a response generated for each.
- HHSC no longer allows comments from Program once the Rule Making Notification Form (RNF) has been sent to CPCPI which dictates that the formal rule process has begun. It is their position that any internal comments should have been thoroughly discussed during the drafting process.
- 5) Comments from Stakeholders will be compiled and discussed. Comments that are minor in nature such as grammar, incorrect citations, etc., can be changed without a meeting.

Section 3.D - Repeal with New Rule or Amendment

If the amount of changes to the existing rule is estimated at **more than 30%**, the Office of General Council (OGC) *Texas Register* Rules Coordinator suggest doing a REPEAL of the existing rules, and replace with NEW PROPOSED RULES at the same time to accomplish this, as too many revisions and movement of sections, paragraphs, etc. can be difficult for Stakeholders and those working on the rules to follow. The PSQA Unit Manager must be advised of the plan. ****IMPORTANT NOTE:** Even with submitting a new set of rules, the program must still keep track of the changes and movement of existing rules that are being made. The program will document and explain each of these changes in detail to the Council later.

SECTION 4 - BEGINNING THE FORMAL RULEMAKING PROCESS

After the above-mentioned items are sufficiently addressed by the program, the formal rulemaking process begins.

The ***Rulemaking Process Timeline*** dictates the deadlines for each step in the formal rulemaking process and should be consulted regularly. Reminders of upcoming deadlines will usually be sent out by the Staff Services Officer-Division Rules Coordinator or the Unit Rules Coordinator. The timeline can be located at: <http://online.dshs.state.tx.us/rulemaking/timelines.htm>.

SECTION 4.A - Preparing and Submitting the Rules Notification Form

The **Rulemaking Notification Form (RNF)** is the first form to be completed and submitted to Centers for Program Coordination and Policy Innovation (CPCPI) to begin the formal rulemaking process. This is the first deadline on the ***Rulemaking Process Timeline*** published by CPCPI for each SHSC Meeting. The RNF serves as the official notice to CPCPI that rules are being prepared for an upcoming DSHS Council meeting. The Rulemaking Notification Form should be prepared as far in advance as possible.

Step 1: The program should locate the most current version of the Rulemaking Notification Form (RNF) on the DSHS website under: **Policies/Procedures; DSHS Rulemaking Procedures; Part 1 - How to Provide Notification of an Upcoming Rule Change**. The Unit Rules Coordinator will also have the latest version.

Step 2: No less than two weeks before the deadline noted on the Rulemaking Process Timeline, the program will complete the RNF and email to the Unit Rules Coordinator.

Step 3: The Unit Rules Coordinator will review and make any changes that are not substantive, such as spelling, punctuation, proper format, spacing, etc. Suggestions for changes in content will not be made without the prior approval of the program. The Unit Rules Coordinator will save the official electronic copy of the RNF in the S:\Rule Revisions directory under the appropriate Group folder and it will be titled so that program staff can easily identify each file.

For example: 229.111 - 115 Ice RNF 0609kb.doc

Step 4: The Unit Rules Coordinator will provide a routing form and a paper copy of the RNF to the program for initialing and dating.

Step 5: The routing form and RNF paper copy is then routed to Unit Manager, followed by Section Director for initialing and dating along with any needed changes.

Step 6: The Unit Rules Coordinator will email the electronic RNF and then hand deliver the initialed routing form and paper copy of the RNF to Staff Services Officer-Division Rules Coordinator. The Staff Services Officer-Division Rules Coordinator will give to Assistant Commissioner for signature on behalf of the program and sign on signature line: "Originating Agency Program Contact."

Step 7: Staff Services Officer-Division Rules Coordinator sends the paper copy with Assistant Commissioner's signature to the CPCPI Rules Coordinator. The Unit Rules Coordinator receives a .pdf of the form after it is approved and signed by all parties. The Unit Rules Coordinator saves the .pdf in the S:\Rule Revisions\ directory under the appropriate Group folder.

***NOTE: The RNF is the only form routed as a paper copy due to signatures required by CPCPI. All other rules and forms should be routed via email.**

SECTION 4.B - Submitting Final Proposed Rule Packet to PSQA

1. Proposed Rule Packet:

The ***Rulemaking Process Timeline*** published by CPCPI must be followed closely.

The following forms are prepared to make up the complete **"rule packet"** for proposed rule changes:

- A. Rulemaking Notification Form (RNF, submitted separately at least two weeks before the rest of the packet)
- B. Council Agenda Memo (CAM)
- C. Proposed Preamble
- D. Proposed Rule Text
- E. Rulemaking Fiscal Impact Form (RFI) and any background documentation necessary to explain how the program derived at the costs.
- F. Request for Publication of Proposed Rules Memo (can hold until after SHSC Meeting)

NOTE: There is not much time between submitting the RNF and the rest of the documents in the rule packet. It is **VERY IMPORTANT** that **as much preparation as possible is done BEFORE the RNF is submitted.**

- 2.) Program staff is responsible for drafting these documents using approved forms and following the basic formatting guidelines found in the Basic Rule Formatting Requirements document (see Appendix A in this handout). Once all forms are completed, they need to be sent in one email to the Unit Rules Coordinator and attached as separate documents.
- 3.) The Unit Rules Coordinator will proof each file using department guidelines and *Texas Register* requirements for format. Changes that are not substantive, such as spelling, punctuation, proper format in font, spacing, etc. will be made. Changes in content will be suggested, but not made without the prior approval of the program staff.
- 4.) The Unit Rules Coordinator will save the official electronic copy of each proposed file in the S:\Rule Revisions\ directory under the appropriate Group folder, and it will be titled so that program staff can easily identify each file.

For example:

229.111-115 Ice PropPreamble 0609kb.doc
229.111-115 Ice PropRules 0609kb.doc
229.111-115 Ice CAM 0609kb.doc
229.111-115 Ice RFI 0609kb.doc
229.111-115 Ice PropPubMemo 0609kb.doc

(These documents are examples of the proposed rules documents for Ice rules at 25 TAC, §229.111-229.115, scheduled to be presented at the June 2009 State Health Services Council (SHSC) meeting, with the Unit Rules Coordinator initials at the end indicating that this is the official electronic "draft" file that was sent up the chain of command).

NOTE: If there are changes that should be added after the packet has been submitted, send them to the Unit Rules Coordinator. **DO NOT MAKE CHANGE IN FILES SAVED IN RULES DIRECTORY.** The files saved in the S:\Rule Revisions directory are the final versions and can be corrupted by another version of Word if opened on another computer.

SECTION 4.C - Forward "Official" Rule Packet for Management Approval

1. The Unit Rules Coordinator emails all related rule documents to Unit Manager for review and electronic rule packet approval sign-off. The following sample title in the "subject" line of the email should be used to indicate what type of action is needed.

SUBJECT: **FOR APPROVAL *Proposed* (insert Program name, i.e., Radiation) rules at §§289.201 and 289.202 for June 09 SHSC Meeting**

2. If Unit Manager has no changes to rule packet, the approved electronic rule packet will be forwarded to Section Director for review and electronic rule packet approval sign-off, with a "cc" to Unit Rules Coordinator.

If Unit Manager has changes, those changes will be emailed/discussed with the Unit Rules Coordinator and/or the Program as appropriate. The Unit Rules Coordinator will make all changes and forward corrected rule documents with Unit Manager's electronic rule packet sign-off to Section Director for review and electronic rule packet approval sign-off.

3. Whether Section Director has changes to rule packet or not, approved packet is forwarded electronically to the Unit Rules Coordinator.
4. The Unit Rules Coordinator will make any changes and forward electronic rule packet with Section Director's electronic rule packet approval sign-off to Staff Services Officer-Division Rules Coordinator.
5. Staff Services Officer-Division Rules Coordinator will forward the approved electronic rule packet to Assistant Commissioner for review and electronic rule packet approval sign-off.
6. Staff Services Officer-Division Rules Coordinator forwards Assistant Commissioner's approved electronic rule packet to the OGC *Texas Register* Rules Coordinator and the program attorney for review and sign-off, and include "cc's" to the Unit Rules Coordinator and applicable program staff. The Unit Rules Coordinator will send an email (no attachments) to Section Director as an FYI to advise the rules have moved forward to OGC.

SECTION 4.D - Changes to the Official Rule Packet by OGC

1. The OGC *Texas Register* Rules Coordinator faxes to the program staff any suggested changes and questionable items, including those of the program attorney.

Program staff will make a determination on any questionable items and meet with Unit Rules Coordinator to discuss changes to be made. The Unit Rules Coordinator will make any changes to maintain the correct version in the S:\Rule Revisions\ directory.

If OGC *Texas Register* Rules Coordinator faxes any suggested changes and questionable items to the Unit Rules Coordinator instead of the program staff, the Unit Rules Coordinator will make minor grammatical and/or format changes suggested by OGC *Texas Register* Rules Coordinator or the OGC attorney. The Unit Rules Coordinator will contact program staff to discuss any questions or substantive text changes made by OGC *Texas Register* Rules Coordinator and/or the OGC attorney.

Program staff may communicate directly with the OGC *Texas Register* Rules Coordinator and/or the OGC attorney to resolve the item(s) in question.

Program staff will submit all text changes to the Unit Rules Coordinator for an update to the S:\RuleRevision\directory rule packet version.

2. The Unit Rules Coordinator forwards the corrected rule packet back to Staff Services Officer-Division Rules Coordinator. If program staff decides not to include some or all of OGC's suggested changes, the program staff will email the justification for not making the changes to Unit Rules Coordinator and Staff Services Officer-Division Rules Coordinator.
3. Staff Services Officer-Division Rules Coordinator will forward corrected rule packet to OGC *Texas Register* Rules Coordinator, to confirm suggested changes were made, and to ensure final format.

SECTION 4.E - Process following OGC approval

1. OGC *Texas Register* Rules Coordinator will advise the Staff Services Officer-Division Rules Coordinator that the approved rule packet is ready to be picked up and delivered to Budget office.
2. OGC *Texas Register* Rules Coordinator will forward the final approved electronic rule packet documents to Staff Services Officer-Division Rules Coordinator.
3. Staff Services Officer-Division Rules Coordinator will forward the final approved electronic rule packet documents to the CPCPI Rules Coordinator and "cc" the Unit Rules Coordinator and program staff.

**** For "Repeal and Replace with New Rules" sets ONLY:** The Program will prepare a Comparison or Fact Sheet for CPCPI (*see examples under S:/Rule Revisions/2009-2010/Forms, Timelines, Guidelines folder*) to identify the changes to the new rules from the repealed rules in the TAC, for the CPCPI advisor to review and for the Council briefing meeting. The Fact Sheet will be sent to the CPCPI Rules Coordinator immediately after Staff Services Officer-Division Rules Coordinator forwards final rule packet to the CPCPI Rules Coordinator.

4. Staff Services Officer-Division Rules Coordinator hand delivers the rule packet to the program Budget office staff for review and approval of the "Rulemaking Fiscal Impact and Proposed Preamble Fiscal Impact" documents. Budget office staff may call the program contact, if they have any questions or need clarification.
5. The assigned program Budget office staff will inform Staff Services Officer-Division Rules Coordinator when the approved rule packet is ready to be picked up and hand delivered to the CPCPI Rules Coordinator for review and approval.
6. The CPCPI Rules Coordinator forwards the final approved electronic rule packet documents to the Health and Human Services Commission (HHSC) for first HHSC review and approval. The CPCPI Rules Coordinator will "cc" Staff Services Officer-Division Rules Coordinator, the Unit Rules Coordinator, and program staff on this version, only if there were changes made.

7. The Unit Rules Coordinator will save the final electronic file containing the incorporated changes from OGC, to the S:\Rule Revisions\Group directory as a separate file and replace the Unit Rules Coordinator's initials with "ogc." The "ogc" file will be the electronic file that has been sent to the *Texas Register* for publication, and the "approved" version to be used when drafting the final adoption rules.

SECTION 4.F - Summary of Remaining Actions Required for *Proposed Rule Package*

- If the rule is considered controversial, a Work Session Agenda Memo will need to be presented at the "pre" Council Work Session meeting.
- The proposed rule package is submitted to the DSHS Council for approval.
- Program staff will attend the Council meeting to present the proposed rule.

SECTION 4.G - Following Council Approval

- Program staff submits to Unit Rules Coordinator the Request to Publish Proposed Rule Memo if this form was not submitted with the original proposed rule packet. If the form was submitted with the rule packet and the Council has made changes then Program will need to submit a revised Request to Publish Proposed Rule Memo to the Unit Rules Coordinator.
- The Unit Rules Coordinator forwards to Unit Manager, Section Director, and Staff Services Officer-Division Rules Coordinator for the Assistant Commissioner's review and approval.
- CPCPI forwards approved rules by the Council to the HHSC Commissioner for approval to publish in the *Texas Register*.
- The CPCPI Rules Coordinator receives approval to publish from the Executive Commission's office and the OGC *Texas Register* Rules Coordinator files the proposed rules with the *Texas Register*.
- The proposed rules are submitted for at least a 30-day comment period from the date of publication.
- The OGC *Texas Register* Rules Coordinator will provide the Staff Services Officer-Division Rules Coordinator with a copy of the rules sent for publication and "cc" the Unit Rules Coordinator, program staff, Unit Manager, the CPCPI Rules Coordinator, and the OGC Attorney. The program staff will follow the directions regarding proofing the published rule text against the submitted copy. The program staff has 20 days after the publication date to identify errors and provide needed corrections to the *Texas Register*.
- The program staff will provide an email response to the Unit Rules Coordinator who will make any changes to the S:\Rule Revisions\Group directory. The Unit Rules Coordinator will then forward the changes to the Staff Services Officer-Division Rules Coordinator who will then forward to the OGC *Texas Register* Rules Coordinator indicating that the proofing is complete.
- The program staff is responsible for posting a copy of the electronic file on the program website.
- If a notice for a public hearing was given in the Rule Preamble, program staff is responsible for setting up the meeting location, sign-in sheets, tape recorders, and

meeting invitations to Unit Manager, Section Director, Assistant Commissioner and the appropriate program attorney.

- The program staff will attend the public hearing and ensure that all comments received are properly documented.
- The program staff is responsible for receiving all public comments, and will work with the appropriate program attorney to draft responses.

SECTION 5: FINAL ADOPTION RULES

1. The program staff will draft the final adoption rules package using the appropriate forms and following the Basic Rule Formatting Requirements document (see Appendix A of this handout).

PROGRAM STAFF WILL ENSURE THAT THE CORRECT OGC "APPROVED" VERSION (S:\RULE REVISIONS\GROUP) OF THE PROPOSED RULES ARE BEING USED BEFORE BEGINNING TO DRAFT THE FINAL ADOPTION RULES.

For adopted rules, the following forms are prepared to make up the "rule packet":

- A. Order Adopting Rules
 - B. Adoption Preamble
 - C. Final Rule Text
 - D. Request for Adoption of Proposed Rules Memo
 - E. Copy of Rulemaking Fiscal Impact Form (from Proposed Rules), PDF version with all signatures.
2. (Same as #4B.1 above under *Proposed Rules*). The Rules Notification Form and Council Agenda Memo do not need to be attached, but a copy of the Fiscal Impact Form must be included.
 3. (Same as #4B.4 above under *Proposed Rules*). The file names for final, ***Adopted Rules*** documents would look like this:

229.111-115 Ice AdoptOrder 1209kb.doc
229.111-115 Ice AdoptPreamble 1209kb.doc
229.111-115 Ice AdoptRules 1209kb.doc
229.111-115 Ice AdoptMemo 1209kb.doc

The date of "1209" is the estimated effective date of the rules.

4. (Same as #4C.1 above under *Proposed Rules*). The title in the "Subject" line of email will be: SUBJECT: ****FOR APPROVAL** Adoption of (insert Program name, i.e., Radiation) rules at §§289.201 and 289.202 (June 09 SHSC Meeting)**
5. (Same as #4C.2 above under *Proposed Rules*)
6. (Same as #4C.3 above under *Proposed Rules*)
7. (Same as #4C.4 above under *Proposed Rules*)
8. (Same as #4C.5 above under *Proposed Rules*)

9. (Same as #4D.1 above under Proposed Rules)
10. (Same as #4D.2 above under Proposed Rules)
11. (Same as #4D.3 above under Proposed Rules)
12. (Skip #4E.1 above under Proposed Rules). If the Fiscal Impact changes, then the rule packet goes back to the Budget office.
13. (Same as #4E.2 above under Proposed Rules)
14. (Same as #4E.3 above under Proposed Rules)
15. (Skip #4E.4 above under Proposed Rules). If the Fiscal Impact changes, then the rule packet goes back to the Budget office.
16. (Skip #4E.5 above under Proposed Rules). If the Fiscal Impact changes, then the rule packet goes back to the Budget office.
17. (Same as #4E.6 above under Proposed Rules). This packet does not go to DSHS Council, but instead goes to HHSC for 3rd HHSC review.
18. (Same as #4E.7 above under Proposed Rules)

SECTION 5.A - Summary of Remaining Actions Required for Adoption Rule Package

- The Adoption Rule Package is submitted to the HHSC Commissioner for approval to publish in the *Texas Register*.
- CPCPI forwards approved rules by the Council to the HHSC Commissioner for approval to publish in the *Texas Register*.
- The CPCPI Rules Coordinator receives approval to publish from the Executive Commission's office and the OGC *Texas Register* Rules Coordinator files the proposed rules with the *Texas Register*.
- OGC *Texas Register* Rules Coordinator will provide the program staff with a copy of the adoption rules sent for publication, and directions for staff to proof the published rule text against the submitted copy. (The department has **10** days after publication date to identify errors and provide needed corrections to the *Texas Register*.)
- The program staff will provide an email response to OGC *Texas Register* Rules Coordinator indicating that the proofing is complete.
- The program staff is responsible for posting a copy of the electronic file on the program website.

Appendix A

Basic Rule Formatting Requirements

These are some of the general style requirements that are found in the DSHS Rule Manual. The following guidelines for drafting rules are necessary in order to adhere to the *Texas Register* formatting requirements, and should be used by staff when drafting rules.

For complete details on *Texas Register* formatting guidelines and requirements, please go to:

Proposed Rule Text Requirements

<http://online.dshs.state.tx.us/rulemaking/docs/PROPOSEDRULETEXT.doc>

Adoption Rule Text Requirements

<http://online.dshs.state.tx.us/rulemaking/docs/ADOPTEDRULETEXTIN.doc>

1. **Documents will be prepared in Word and Times New Roman Font, 12 Point**, unless the form is not revisable. The rule text (aka legend), preamble, and adoption order should be prepared using these guidelines.
2. **"Proposed Rule" text legend** will be stated at top of the rule text for each rule section. (For examples, see the link to *Proposed Rule Text Requirements* document above.)

"Adoption Rule" text legend will be stated at top of the rule text for each rule section. (For examples, see link to *Adoption Rule Text Requirements* document above.)
3. **Page numbering will be centered at the bottom of each page of the preamble and rule text.**

Example: Proposed preamble (Proposed Preamble - 1, Proposed Preamble - 2, etc.)

Example: Proposed rule text (Proposed- 1, Proposed - 2, etc.)

Example: Adoption preamble (Adoption Preamble - 1, Adoption Preamble - 2, etc.)

Example: Adoption rule text (Adopted - 1, Adopted - 2, etc.)
4. **Documents will be prepared using one-inch margins** (i.e., top, bottom, left and right), which should include headers and footers.
5. **Documents will be prepared using full justification, block style.**
6. **Documents will be prepared using single-spacing for text, and double-spacing between paragraphs.**
7. **To create a §, "sections symbol", hold the Alt button and type 0167.**
8. **Do not italicize any rule text.**

9. **Include no space, two hyphens, and no space between the definition and the text of the definition.**
10. **Documents will be prepared using the quote symbol (") from the keyboard, not from a character list.**
11. **Do not use "outline setup" in formatting paragraphs. Tab each new paragraph using tabs every 5 spaces.** There will only be one initial tab for each paragraph and no others anywhere else within each paragraph. Only one space will be between the paragraph number and the text of the paragraph.

Example

[tab][tab](1)[one space]Text for this paragraph.

[tab][tab][tab](A)[one space]Text for this subparagraph