



Health and Human Services Executive Council September 18, 2025

This summary contains supplemental information from reliable sources where that information provides clarity to the issues being discussed. Power Point tables used in the presentations may also be used in this summary. Names of individuals may be misspelled but every attempt has been made to ensure accuracy. Tables and Text have been used from executive and legislative agencies and departments' presentations and publications.





1. Welcome and opening remarks.

Call to order and Roll call. The meeting was convened by Cecile Young, Commissioner.

Explanation of proceedings using Microsoft Teams meeting. Staff explained the meeting process.

Executive commissioner's welcome and remarks.

2. Rule proposals* (Agency Rulemaking can be found at <https://www.hhs.texas.gov/regulations/policies-rules/health-human-services-rulemaking/comment-proposed-draft-rules>)

Administrative Procedure Act (APA) public comment period has closed† No rules to be considered in this category.

Submitted to the Texas Register – APA public comment period has not closed‡

[**25R042** The Texas Health and Human Services Commission proposes amendment to a rule in Texas Administrative Code \(TAC\), Title 26, Part 1, Chapter 744, Minimum Standards for School-Age and Before or After-School Programs, Subchapter O, concerning Swimming Pools, Wading/Splashing Pools, and Sprinkler Play.](#)

The rule updates the already existing requirement that school-age and before or after-school programs provide children with a personal flotation device to reflect the United States Coast Guard's new classification system. The amended rule will improve the safety of children enrolled in school-age and before or after-school programs who access swimming pools.

The purpose of the proposal is to update current rule language related to United States Coast Guard approved personal flotation devices (PFDs) to reflect changes to buoyancy labeling. HHSC Child Care Regulation (CCR) is proposing an amendment to add an option to a rule that requires an operation to provide a child who accesses a swimming



pool with a United States Coast Guard approved PFD that has a rating of Type I, II, or III, or a buoyancy level of 70 or above.

Fiscal and Services Impact: The proposed rule will benefit the public because it will (1) improve the safety of children enrolled in school-age and before or after-school programs who access swimming pools and (2) align with United States Coast Guard requirements for PFDs.

Rule Development Schedule

September 18, 2025	Present to HHSC Executive Council
September 19, 2025	Publish proposed rules in Texas Register
December 2025	Publish adopted rules in Texas Register
December 2025	Effective date

Public Comment.

Corella De La Pena, National Drowning Prevention and parent of a child who drowned. She had advocated for the legislation requiring this rule. There is a form now required if a person is to be taken swimming and requirements for life jackets for “non swimmers” as defined by law. Six thousand individuals have been trained in the legislation. She stated her support for the item.

Jennifer Poteet, Collins Hope stated that drowning is the number one cause of death in young children. HB59 ensures safety for children at pools. They stated that the minimum in the statute should be 70 for buoyancy.

[25R046 The Department of State Health Services proposes the repeal of §1.81 and new §1.81 in TAC, Title 25, Part 1, Chapter 1, Miscellaneous Provisions, Subchapter F, Licensure Exemptions; and the repeal of §1.91 and new §1.91 in TAC, Title 25, Part 1, Chapter 1, Miscellaneous Provisions, Subchapter G, Alternative Licensing for Military](#)

DSHS is changing the rules to allow a military service member, a military veteran, or a military spouse to receive a provisional occupational license once a complete application is received, if certain requirements are met.

The purpose of the proposal is to comply with Senate Bill (S.B.) 1818 and House Bill (H.B.) 5629, 89th Regular Session, 2025. S.B. 1818 amends Texas Occupations Code



(TOC) §55.004 and §55.0041 to allow a military service member, a military veteran, or a military spouse to receive a provisional license upon receipt of a complete application, if they meet existing criteria outlined in TOC §55.004 or §55.0041. To qualify, the applicant must hold a current license in good standing from another state that is similar in scope of practice to a license issued in Texas. H.B. 5629 amends Texas Occupations Code §55.004 and §55.0041 to require state agencies to recognize out-of-state licenses that are in good standing and similar in scope of practice to a Texas license, and to issue a corresponding Texas license. The bill also changes the documentation required in an application, shortens the time by which the agency must process an application, and defines “good standing.”

Fiscal and Services Impact.

	SFY26	SFY27	SFY28	SFY29	SFY30
State	\$30,625	0	0	0	0
Federal	0	0	0	0	0
Total	\$30,625	0	0	0	0

The new rules will benefit the public by eliminating the delay for military personnel obtaining a license in Texas, if they hold a license in another state and meet the requirements as outlined in TOC §55.004 and §55.0041.

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December 2025	Publish adopted rules in Texas Register
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Public Comment. No public comment offered.

[25R050 Texas Health and Human Services Commission proposes amendments rules in TAC, Title 1, Part 15, Chapter 351, Coordinated Planning and Delivery of Health and Human Services, Subchapter A, concerning General Provisions](#)



HHSC is changing the rules about occupational licenses for military members, military spouses, and veterans to follow new laws. The updates add a way to get a temporary license while waiting for a permanent one and make it easier for military members, military spouses, and veterans to get a license in Texas or use out-of-state licenses in Texas.

The purpose of the proposal is to comply with Senate Bill (S.B.) 1818 and House Bill (H.B.) 5629, 89th Regular Session, 2025. S.B. 1818 amends Texas Occupations Code (TOC) §55.004 and §55.0041 to allow a military service member, a military veteran, or a military spouse to receive a provisional license upon receipt of a complete application, if they meet existing criteria outlined in TOC §55.004 or §55.0041. To qualify, the applicant must hold a current license in good standing from another state that is similar in scope of practice to a license issued in Texas.

H.B. 5629 amends Texas Occupations Code §55.004 and §55.0041 to require state agencies to recognize out-of-state licenses that are in good standing and similar in scope of practice to a Texas license, and to issue a corresponding Texas license. The bill also changes the documentation required in an application, shortens the time by which the agency must process an application, and defines “good standing”.

Fiscal and Services Impact. The public benefit will be an expedited process for a military service member, military spouse, or veteran to obtain a professional license from HHSC, which will allow more licensees to practice in addition to reducing regulatory burdens on military members, veterans, and spouses.

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Public Comment. No public comment offered.



Not yet submitted to the Texas Register for APA public comment

[25R043 The Department of State Health Services proposes amendments to rules in TAC, Title 25, Part 1, Chapter 229, Food and Drug, new Subchapter II, concerning Warning Label Requirements for Food](#)

The new rules outline the warning label requirements for food intended for human consumption if the food contains ingredients specified in statute. Unless exempt, food manufacturers who sell their food products in Texas are required to include a warning label on food containing specific ingredients if the food labels are developed or copyrighted on or after January 1, 2027.

The proposal to amend 25 Texas Administrative Code (TAC) Chapter 229 by adding a new Subchapter II, §§229.1001 - 229.1005, concerning Warning Label Requirements for Food, is necessary to comply with Senate Bill (S.B.) 25, 89th Legislature, Regular Session, 2025, which amends Health and Safety Code (HSC) Chapter 431, Subchapter D by adding §§431.0815, 431.0816 and 431.0817.

Section 431.0815 requires any food manufacturer offering food for human consumption for sale in Texas to include a warning label if it contains certain ingredients outlined in the statute. A food manufacturer or a food retailer, who is provided content information by the manufacturer, is required to disclose all required labeling information to the consumer if the product is offered for sale in Texas on the manufacturer's or retailer's website. The warning label requirements apply only to food labels developed or copyrighted on or after January 1, 2027. The warning label requirements do not apply to food not offered for human consumption; food labeled, prepared, served, or sold in a restaurant or retail food establishment; a drug or dietary supplement; or products regulated by the United States Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS) or labeled with a governmental warning with a recommendation from the Surgeon General of the United States Public Health Service.

Section 431.0815 has no effect for an ingredient, including a food additive and color additive, if a federal law or regulation issued by the U.S. Food & Drug Administration (FDA) or USDA fulfills certain conditions as outlined in Section 431.0817 relating to federal preemption. The amendment requires the Department of State Health Services



(DSHS) to adopt rules to implement the changes in law not later than December 31, 2025.

Fiscal and Services Impact.

	SFY26	SFY27	SFY28	SFY29	SFY30
State	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000
Federal	0	0	0	0	0
Total	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000

The public will benefit from increased awareness of food consumption by requiring a warning label on food containing specific ingredients. Consumers will be able to make an informed decision on which food products to purchase or consume.

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Public Comment. No public comment offered.

3. Recent Rule Adoptions - Information item not for discussion

Adoptions submitted to the *Texas Register* that are not yet effective

25R002 Nursing Facility Liability Insurance Costs, Published 9/19/25, Effective 9/23/25

Adoptions that are effective

24R094 Community Care for Aged and Disabled, Published 9/5/25, Effective 9/10/25

<https://www.sos.texas.gov/texreg/archive/September52025/Adopted%20Rules/26.HEALTH%20AND%20HUMAN%20SERVICES.html#99>



25R039 Reimbursement Methodology Updates, Published 9/5/25, Effective 9/11/25

<https://www.sos.texas.gov/texreg/archive/September52025/Adopted%20Rules/1.ADMINISTRATION.html#70>

25R040 Intellectual and Developmental Disabilities Nursing Facility Special Reimbursement, Published 9/5/25, Effective 9/11/25

<https://www.sos.texas.gov/texreg/archive/September52025/Adopted%20Rules/1.ADMINISTRATION.html#84>

25R021 Radiation Safety Requirements for Well Logging Service Operations and Tracer Studies, Published 9/5/25, Effective 9/11/25

<https://www.sos.texas.gov/texreg/archive/September52025/Adopted%20Rules/25.HEALTH%20SERVICES.html#97>

25R038 Waiver Cost Limit Increase, Published 9/12/25, Effective 9/17/25

4. Adjourn. There being no further business, the meeting was adjourned.

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