

(F) When warming of blood is indicated, this shall be accomplished during its passage through the transfusion set. The warming system shall be equipped with a visible thermometer and may have an audible warning system. Blood shall not be warmed above 42 degrees Celsius.

(G) Drugs or medications, including those intended for intravenous use, shall not be added to blood or blood components. A 0.9% sodium chloride injection, United States Pharmacopeia, may be added to blood or blood components. Other solutions intended for intravenous use may be used in an administration set or added to blood or blood components under either of the following conditions:

(i) they have been approved for this use by the Federal Drug Administration; or

(ii) there is documentation available to show that addition to the component involved is safe and efficacious.

(H) There shall be a system for detection, reporting and evaluation of suspected complications of transfusion. Any adverse event experienced by a patient in association with a transfusion is to be regarded as a suspected transfusion complication. In the event of a suspected transfusion complication, the personnel attending the patient shall notify immediately a responsible physician and the transfusion service and document the complication in the patient's medical record. All suspected transfusion complications shall be evaluated promptly according to an established procedure.

(I) Following the transfusion, the blood transfusion record or a copy shall be made a part of the patient's medical record.

(6) Reporting and peer review of a vocational or registered nurse. A hospital shall adopt, implement, and enforce a policy to ensure that the hospital complies with the Occupations Code §§301.401 - 301.403, 301.405 and Chapter 303 (relating to Grounds for Reporting Nurse, Duty of Nurse to Report, Duty of Peer Review Committee to Report, Duty of Person Employing Nurse to Report, and Nursing Peer Review respectively), and with the rules adopted by the Board of Nurse Examiners in 22 TAC §217.16 (relating to Minor Incidents), §217.19 (relating to Incident-Based Nursing Peer Review and Whistleblower Protections), and §217.20 (relating to Safe Harbor Peer Review for Nurses and Whistleblower Protections).

(7) Policies and procedures related to workplace safety.

(A) The hospital shall adopt, implement and enforce policies and procedures related to the work environment for nurses which:

(i) improve workplace safety and reduce the risk of injury, occupational illness, and violence; and

(ii) increase the use of ergonomic principles and ergonomically designed devices to reduce injury and fatigue.

(B) The policies and procedures adopted under subparagraph (A) of this paragraph, at a minimum, must include:

(i) evaluating new products and technology that incorporate ergonomic principles;

(ii) educating nurses in the application of ergonomic practices;

(iii) conducting workplace audits to identify areas of risk of injury, occupational illness, or violence and recommending ways to reduce those risks;

(iv) controlling access to those areas identified as having a high risk of violence; and

(v) promptly reporting crimes committed against nurses to appropriate law enforcement agencies.

(8) Safe patient handling and movement practices.

(A) The hospital shall adopt, implement and enforce policies and procedures to identify, assess, and develop strategies to control risk of injury to patients and nurses associated with the lifting, transferring, repositioning, or movement of a patient.

(B) The policies and procedures shall establish a process that, at a minimum, includes the following:

(i) analysis of the risk of injury to both patients and nurses posed by the patient handling needs of the patient populations served by the hospital and the physical environment in which patient handling and movement occurs;

(ii) education of nurses in the identification, assessment, and control of risks of injury to patients and nurses during patient handling;

(iii) evaluation of alternative ways to reduce risks associated with patient handling, including evaluation of equipment and the environment;

(iv) restriction, to the extent feasible with existing equipment and aids, of manual patient handling or movement of all or most of a patient's weight to emergency, life-threatening, or otherwise exceptional circumstances;

(v) collaboration with and annual report to the nurse staffing committee;

(vi) procedures for nurses to refuse to perform or be involved in patient handling or movement that the nurse believes in good faith will expose a patient or a nurse to an unacceptable risk of injury;

(vii) submission of an annual report to the governing body on activities related to the identification, assessment, and development of strategies to control risk of injury to patients and nurses associated with the lifting, transferring, repositioning, or movement of a patient; and

(viii) development of architectural plans for constructing or remodeling a hospital or a unit of a hospital in which patient handling and movement occurs, with consideration of the feasibility of incorporating patient handling equipment or the physical space and construction design needed to incorporate that equipment at a later date.

TRD-202000330



Order Placing Cyclopropyl Fentanyl, Methoxyacetyl Fentanyl, *ortho*-Fluorofentanyl and *para*-Fluorobutyryl Fentanyl Including Their Isomers, Esters, Ethers, Salts, and Salts of Isomers, Esters and Ethers, into Schedule I

The Acting Administrator of the Drug Enforcement Administration maintains the placement of the substances cyclopropyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylcyclopropanecarboxamide), methoxyacetyl fentanyl (2-methoxy-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacetamide), *ortho*-fluorofentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide), and *para*-fluorobutyryl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide), including their isomers, esters, ethers, salts and salts of isomers, esters, and ethers, in schedule I of the Controlled Substances Act (CSA) effective October 25, 2019. This final order was published in the *Federal Register*, Volume 84, Number 207, pages 57323-57326. This order was based on the following:

1. Cyclopropyl fentanyl, methoxyacetyl fentanyl, *ortho*-fluorofentanyl and *para*-fluorobutyryl fentanyl were added to schedule I of the CSA in response to the United States' obligation to similarly control a substance placed into schedule I of the Single Convention on Narcotic Drugs (1961); and

2. Cyclopropyl fentanyl, methoxyacetyl fentanyl, *ortho*-fluorofentanyl and *para*-fluorobutyryl fentanyl have no currently accepted medical use in treatment in the United States.

Pursuant to Section 481.034(g), as amended by the 75th legislature, of the Texas Controlled Substances Act, Health and Safety Code, Chapter 481, at least thirty-one days have expired since notice of the above referenced actions were published in the *Federal Register*. In the capacity as Commissioner of the Texas Department of State Health Services, John Hellerstedt, M.D., does hereby order that the substances cyclopropyl fentanyl, methoxyacetyl fentanyl, *ortho*-fluorofentanyl and *para*-fluorobutyryl fentanyl be placed permanently into schedule I. Additionally, schedule I temporarily listed substances are re-numbered to reflect the change.

- Schedule I opiates

The following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, if the existence of these isomers, esters, ethers, and salts is possible within the specific chemical designation:

- (1) Acetyl-*alpha*-methylfentanyl (*N*-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-*N*-phenylacetamide);
- (2) Acetylmethadol;
- (3) Acetyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacetamide);
- (4) Acryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacrylamide) (Other name: acryloylfentanyl);
- (5) AH-7921 (3,4-dichloro-*N*-[1-(dimethylamino) cyclohexylmethyl]benzamide);
- (6) Allylprodine;
- (7) Alphacetylmethadol (except levo-alphacetylmethadol, also known as levo-*alpha*-acetylmethadol, levomethadyl acetate, or LAAM);
- (8) *alpha*-methylfentanyl or any other derivative of fentanyl;
- (9) *alpha*-methylthiofentanyl (*N*-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl] *N*-phenylpropanamide);
- (10) Benzethidine;
- (11) *beta*-hydroxyfentanyl (*N*-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-*N*-phenylpropanamide);
- (12) *beta*-hydroxy-3-methylfentanyl (*N*-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-*N*-phenylpropanamide);
- (13) *beta*-hydroxythiofentanyl (Other names: *N*-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-*N*-phenylpropanamide or *N*-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-*N*-phenylpropanamide);
- (14) Betaprodine;
- (15) Butyryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbutanamide);
- (16) Clonitazene;
- *(17) Cyclopropyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylcyclopropanecarboxamide);
- (18) Diampromide;
- (19) Diethylthiambutene;
- (20) Difenoxin;
- (21) Dimenoxadol;

- (22) Dimethylthiambutene;
- (23) Dioxaphetyl butyrate;
- (24) Dipipanone;
- (25) Ethylmethylthiambutene;
- (26) Etonitazene;
- (27) Etosexidine;
- (28) 4-Fluoroisobutyryl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide) (Other name: *para*-fluoroisobutyryl fentanyl);
- (29) Furanyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylfuran-2-carboxamide);
- (30) Furethidine;
- (31) Hydroxypethidine;
- (32) Ketobemidone;
- (33) Levophenacilmorphan;
- (34) Meprodine;
- (35) Methadol;
- *(36) Methoxyacetyl fentanyl (2-methoxy-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacetamide);
- (37) 3-methylfentanyl (*N*-[3-methyl-1-(2-phenylethyl)-4-piperidinyl]-*N*-phenylpropanamide);
- (38) 3-methylthiofentanyl (*N*-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-*N*-phenylpropanamide);
- (39) Moramide;
- (40) Morpheridine;
- (41) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- (42) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);
- (43) Noracymethadol;
- (44) Norlevorphanol;
- (45) Normethadone;
- (46) Norpipanone;
- (47) Ocfentanil (*N*-(2-fluorophenyl)-2-methoxy-*N*-(1-phenethylpiperidin-4-yl)acetamide);
- *(48) *ortho*-fluorofentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide) (Other name: 2-fluorofentanyl);
- *(49) *para*-fluorobutyryl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide);
- (50) *para*-fluorofentanyl (*N*-(4-fluorophenyl)-*N*-[1-(2-phenethyl)-4-piperidinyl] propanamide);
- (51) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- (52) Phenadoxone;
- (53) Phenampromide;
- (54) Phencyclidine;
- (55) Phenomorphan;
- (56) Phenoperidine;
- (57) Piritramide;

- (58) Proheptazine;
- (59) Properidine;
- (60) Propiram;
- (61) Tetrahydrofuranfentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenyltetrahydrofuran-2-carboxamide);
- (62) Thiofentanyl (*N*-phenyl-*N*-[1-(2-thienyl)ethyl-4-piperidinyl]propanamide);
- (63) Tilidine;
- (64) Trimeperidine; and
- (65) U-47700 (3,4-dichloro-*N*-[2-(dimethylamino)cyclohexyl]-*N*-methylbenzamide).

-Schedule I temporarily listed substances subject to emergency scheduling by the United States Drug Enforcement Administration.

Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following substances or that contains any of the substance's salts, isomers, optical, positional, and geometric isomers, esters, ethers, and salts of isomers, esters and ethers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation.

- (1) methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F-ADB, 5F-MDMB-PINACA);
- (2) methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate (Other names: 5F-AMB);
- (3) *N*-(adamantan-1-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide (Other names: 5F-APINACA, 5F-AKB48);
- (4) *N*-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamide (Other names: ADB-FUBINACA);
- (5) methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB-CHMICA, MMB-CHMINACA);
- (6) methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB-FUBINACA);
- (7) methyl 2-(1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamido)-3-methylbutanoate (Other names: FUB-AMB, MMB-FUBINACA, AMB-FUBINACA);
- (8) *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylpentanamide (Other name: valeryl fentanyl);
- (9) *N*-(4-methoxyphenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide (Other name: *para*-methoxybutyryl fentanyl);
- (10) *N*-(4-chlorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide (Other name: *para*-chloroisobutyryl fentanyl);
- (11) *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylisobutyramide (Other name: isobutyryl fentanyl);
- (12) *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylcyclopentanecarboxamide (Other name: cyclopentyl fentanyl);
- (13) Fentanyl-related substances.

(13-1) Fentanyl-related substance means any substance not otherwise listed under another Administration Controlled Substance Code Number, and for which no exemption or approval is in effect under section 505 of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 355], that is structurally related to fentanyl by one or more of the following modifications:

- (13-1-1) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;
- (13-1-2) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino or nitro groups;
- (13-1-3) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;
- (13-1-4) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or
- (13-1-5) Replacement of the *N*-propionyl group by another acyl group;
- (13-2) This definition includes, but is not limited to, the following substances:
 - (13-2-1) *N*-(1-(2-fluorophenethyl)piperidin-4-yl)-*N*-(2-fluorophenyl)propionamide (2'-fluoro *ortho*-fluorofentanyl);
 - (13-2-2) *N*-(2-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide (*ortho*-methyl acetylfentanyl);
 - (13-2-3) *N*-(1-phenethylpiperidin-4-yl)-*N*,3-diphenylpropanamide (*beta*'-phenyl fentanyl, hydrocinnamoyl fentanyl);
 - (13-2-4) *N*-(1-phenethylpiperidin-4-yl)-*N*-phenylthiophene-2-carboxamide (thiofuranfentanyl);
 - (13-2-5) (E)-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbut-2-enamide (crotonyl fentanyl);
- (14) Naphthalen-1-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate (Other name: NM2201, CBL2201);
- (15) *N*-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide (Other name: 5F-AB-PINACA);
- (16) 1-(4-cyanobutyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-carboxamide (Other names: 4-CN-CUMYL-BUTINACA, 4-cyano-CUMYL-BUTINACA, 4-CN-CUMYL BINACA, CUMYL-4CN-BINACA; SGT-78);
- (17) methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3-methylbutanoate (Other names: MMB-CHMICA, AMB-CHMICA);
- (18) 1-(5-fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-pyrrolo[2,3-*b*]pyridine-3-carboxamide (Other name: 5F-CUMYL-P7AICA);
- (19) *N*-ethylpentylone (Other names: ephylone, 1-(1,3-benzodioxil-5-yl)-2-(ethylamino)-pentan-1-one);
- (20) ethyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5FEDMB-PINACA);
- (21) methyl 2-(1-(5-fluoropentyl)-1*H*-indole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F-MDMB-PICA);
- (22) *N*-(adamantan-1-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamide (Other names: FUB-AKB48, FUB-APINACA), AKB48 *N*-(4-FLUOROBENZYL));
- (23) 1-(5-fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-carboxamide (Other names: 5F-CUMYL-PINACA, SGT-25);
- (24) (1-(4-fluorobenzyl)-1*H*-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone (Other name: FUB-144);
- (25) *N*-ethylhexedrone (Other name: 2-(ethylamino)-1-phenylhexan-1-one);

(26) *alpha*-pyrrolidinohexanophenone (Other names: *alpha*-PHP, *alpha*-pyrrolidinohexiophenone, 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one);

(27) 4-methyl-*alpha*-ethylaminopentiophenone (Other names: 4-MEAP, 2-(ethylamino)-1-(4-methylphenyl)pentan-1-one);

(28) 4-methyl-*alpha*-pyrrolidinohexiophenone (Other names: MPHP, 4'-methyl-*alpha*-pyrrolidinohexanophenone, 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one);

(29) *alpha*-pyrrolidinoheptaphenone (Other names: PV8, 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one); and

(30) 4-chloro-*alpha*-pyrrolidinovalerophenone (Other names: 4-chloro-*alpha*-PVP, 4-chloro-*alpha*-pyrrolidinopentiophenone, 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one).

Changes are marked by an asterisk(*)

TRD-202000360

Barbara L. Klein

General Counsel

Department of State Health Services

Filed: January 29, 2020



Texas Higher Education Coordinating Board

Notice of Public Hearing - State of Texas College Student Loan Bonds and State of Texas College Student Loan Refunding Bonds

NOTICE IS HEREBY GIVEN of a public hearing to be held by the Texas Higher Education Coordinating Board (the "Issuer") on February 19, 2020, at 9:00 a.m., at the offices of the Issuer, 1200 East Anderson Lane, Room 1.170/Board Room, Austin, Texas, 78752, with respect to the issuance by the Issuer of one or more series of State of Texas College Student Loan Bonds ("Loan Bonds") and State of Texas College Student Loan Refunding Bonds ("Refunding Bonds") (collectively, the "Bonds") in an aggregate amount of not more than (i) \$140,000,000 in Loan Bonds, the proceeds of which will be used by the Issuer to originate student loans to student borrowers at eligible institutions of higher education in the State of Texas under Chapter 52, Texas Education Code (the "Loan Program") and (ii) \$90,000,000 in Refunding Bonds, the proceeds of which will be used by the Issuer to refund certain student loan bonds that were previously issued by the Issuer for the Loan Program to achieve a debt service savings. Descriptions of the Loan Program, the Bonds and the particular bonds to be refunded have been and will be kept on file at the office of the Issuer at the address set forth above. The Bonds will be general obligations of the State of Texas.

All interested persons are invited to attend such public hearing to express their views with respect to the Loan Program and the proposed issuance of the Bonds. Questions or requests for additional information may be directed to Ken Martin, Assistant Commissioner - Financial Services/Chief Financial Officer, 1200 East Anderson Lane, Austin, Texas, 78752.

Persons who plan to attend are encouraged, in advance of the public hearing, to inform the Issuer either in writing or by telephone at (512) 427-6173. Any interested persons unable to attend the hearing may submit their views in writing to the Issuer prior to the date scheduled for the hearing.

This notice is published and the above described hearing is to be held in satisfaction of the requirements of section 147(f) of the Internal Revenue Code of 1986, as amended, regarding the public hearing prerequisite

to the exclusion from gross income for federal income tax purposes of the interest on the Bonds.

Individuals who may require auxiliary aids or services should contact Glenn Tramel, ADA Coordinator, at (512) 427-6193 at least five days before the meeting so that appropriate arrangements can be made.

Texas Penal Code Section 46.035(c) states: "A license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, in the room or rooms where a meeting of a governmental entity is held and if the meeting is an open meeting subject to Chapter 551, Government Code, and the entity provided notice as required by that chapter." Thus, no person can carry a handgun and enter the room or rooms where a meeting of the THECB is held if the meeting is an open meeting subject to Chapter 551, Government Code.

Please Note that this governmental meeting is, in the opinion of counsel representing THECB, an open meeting subject to Chapter 551, Government Code and THECB is providing notice of this meeting as required by Chapter 551. In addition, please note that the written communication required by Texas Penal Code Sections 30.06 and 30.07, prohibiting both concealed and open carry of handguns by Government Code Chapter 411 licensees, will be posted at the entrances to this governmental meeting.

TRD-202000294

William Franz

General Counsel

Texas Higher Education Coordinating Board

Filed: January 24, 2020



Texas Department of Housing and Community Affairs

Notice of Public Hearing: Multifamily Housing Revenue Bonds, FishPond at Corpus Christi Apartments

Notice is hereby given of a public hearing to be held by the Texas Department of Housing and Community Affairs (the "Issuer") at the Corpus Christi Public Library - La Retama Branch, 805 Comanche Street, Corpus Christi, Texas 78401 at 4:00 p.m. on February 25, 2020. The hearing is regarding an issue of tax-exempt bonds in an aggregate principal amount not to exceed \$10,000,000 and taxable bonds, if necessary, in an amount to be determined, to be issued in one or more series (the "Bonds"), by the Issuer. The Bonds will be issued as exempt facility bonds for a qualified residential rental project (the "Development") pursuant to section 142(a)(7) of the Internal Revenue Code of 1986, as amended (the "Code"). The Development will be known as FishPond at Corpus Christi Apartments and will be located at 1006 Sixth Street, Nueces County, Corpus Christi, Texas 78404. The initial legal owner and principal user of the Development will be Fish Pond Living at Corpus Christi, LP, a Texas limited partnership, or a related person or affiliate thereof.

All interested parties are invited to attend such public hearing to express their views with respect to the Development and the issuance of the Bonds. Questions or requests for additional information may be directed to Shannon Roth at the Texas Department of Housing and Community Affairs, P.O. Box 13941, Austin, Texas 78711-3941; (512) 475-3929; and/or shannon.roth@tdhca.state.tx.us.

Persons who intend to appear at the hearing and express their views are invited to contact Shannon Roth in writing in advance of the hearing. Any interested persons unable to attend the hearing may submit their