

§355.8441, which addresses the reimbursement methodologies for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services (known in Texas as Texas Health Steps);

§355.8620, Reimbursement Methodology for Services Provided in Indian Health Service and Tribal Facilities; and

§355.8660, Renal Dialysis Reimbursement.

Rate Hearing Packet. A briefing packet describing the proposed payment rates will be made available at <https://pfd.hhs.texas.gov/rate-packets> on or after July 10, 2022. Interested parties may obtain a copy of the briefing packet on or after that date by contacting Provider Finance by telephone at (512) 730-7401; by fax at (512) 730-7475; or by e-mail at PFDAcuteCare@hhs.texas.gov.

Written Comments. Written comments regarding the proposed payment rates may be submitted in lieu of, or in addition to, oral testimony until 5:00 p.m. the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Provider Finance at (512) 730-7475; or by e-mail to PFDAcuteCare@hhs.texas.gov. In addition, written comments may be sent by overnight mail to Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, North Austin Complex, 4601 Guadalupe St., Austin, Texas 78751.

Preferred Communication. During the current state of disaster due to COVID-19, physical forms of communication are checked with less frequency than during normal business operations. For quickest response, and to help curb the possible transmission of infection, please use e-mail or phone if possible for communication with HHSC related to this rate hearing.

Persons with disabilities who wish to participate in the hearing and require auxiliary aids or services should contact Provider Finance at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202202254

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 14, 2022



Public Notice - Texas State Plan for Medical Assistance Amendment Effective July 1, 2022

The Texas Health and Human Services Commission (HHSC) announces its intent to submit amendments to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act. The proposed amendments are effective July 1, 2022.

The purpose of proposed amendments to the Texas State Plan is to add the following so patient-site telemedicine services may be reimbursed to Federal Qualified Health Clinic (FQHC) or Rural Health Clinic (RHC) for the originating site facility fee as an alternative payment methodology for a health care provider to a Medicaid recipient at an RHC or an FQHC.

The proposed amendment is estimated to result in estimated costs of approximately \$2,400 all funds annually.

Rate Hearing. The details for the hearing will be published at a later date for the alternative payment methodology. Information about the rate hearing and rates will be published in the *Texas Register* at <http://www.sos.state.tx.us/texreg/index.shtml>.

Copy of Proposed Amendment. Interested parties may obtain additional information and/or a free copy of the proposed amendment by contacting Kenneth Anzaldua, State Plan Policy Advisor, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 438-4326; by facsimile at (512) 323-1905; or by email at Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Copies of the proposed amendment will be available for review at the local county offices of HHSC, formerly the local offices of the Texas Department of Aging and Disability Services.

Written Comments. Written comments about the proposed amendment and/or requests to review comments may be sent by U.S. mail, overnight mail, special delivery mail, hand delivery, fax, or email:

U.S. Mail

Texas Health and Human Services Commission

Attention: Provider Finance Department

Mail Code H-400

P.O. Box 149030

Austin, Texas 78714-9030

Overnight mail, special delivery mail, or hand delivery

Texas Health and Human Services Commission

Attention: Provider Finance Department

North Austin Complex

Mail Code H-400

4601 W. Guadalupe St.

Austin, Texas 78751

Phone number for package delivery: (512) 730-7401

Fax

Attention: Provider Finance at (512) 730-7475

Email

PFD_Hospitals@hhsc.state.tx.us

Preferred Communication. During the current state of disaster due to COVID-19, physical forms of communication are checked with less frequency than during normal business operations. For the quickest response and to help curb the possible transmission of infection, please use email or phone if possible for communication with HHSC related to this state plan amendment.

Persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact Provider Finance at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202202274

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 15, 2022



Department of State Health Services

Order Placing 4,4'-DMAR and Isotonitazine into Schedule I

The Drug Enforcement Administration issued a final rule placing 4,4'-dimethylaminorex (other names: 4,4'-DMAR; 4,5-dihydro-4-methyl-5-(4-methylphenyl)-2-oxazolamine; 4-methyl-5-(4-methylphenyl)-4,5-dihydro-1,3-oxazol-2-amine) including its salts, isomers, and salts of isomers, in schedule I of the Controlled Substances Act. This action was taken to enable the United States to meet its obligations under the 1971 Convention on Psychotropic Substances. The final rule was published in the August 12, 2021 edition of the *Federal Register*, Volume 86, Number 153, pages 44270-44273 and was effective September 13, 2021.

The Administrator of the Drug Enforcement Administration permanently placed *N,N*-diethyl-2-(2-(4-isopropoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine (commonly known as isotonitazene), including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation, in schedule I of the Controlled Substances Act. This action was taken to enable the United States to meet its obligations under the 1971 Convention on Psychotropic Substances. The final order was published in the November 4, 2021 edition of the *Federal Register*, Volume 86, Number 211, pages 60761-60763 and was effective December 6, 2021.

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 4,4'-DMAR and isotonitazene be added to schedule I of the schedules of controlled substances.

-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 are possible within the specific chemical designation:

- (1) Acetyl- α -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)cyclohexymethyl]benzamide);
- (6) Allylprodine;
- (7) Alphacetylmethadol (except levo- α -cetylmethadol, levo- α -acetylmethadol, levomethadyl acetate, or LAAM);
- (8) α -Methylfentanyl or any other derivative of fentanyl;
- (9) α -Methylthiofentanyl (*N*-[1-methyl-2-(2-thienyl)ethyl-4-piperidinyl] *N*-phenylpropanamide);
- (10) Benzethidine;
- (11) β -Hydroxyfentanyl (*N*-[1-(2-hydroxy-2-phenethyl)-4-piperidinyl]-*N*-phenylpropanamide);
- (12) β -Hydroxy-3-methylfentanyl (*N*-[1-(2-hydroxy-2-phenethyl)-3-methyl-4-piperidinyl]-*N*-phenylpropanamide);
- (13) β -hydroxythiofentanyl (Other names: *N*-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-*N*-phenylpropionamide; *N*-[1-[2-hydroxy-2-(2-thienyl)ethyl]-4-piperidinyl]-*N*-phenylpropanamide);
- (14) β -Methyl fentanyl (*N*-phenyl-*N*-(1-(2-phenylpropyl)piperidin-4-yl)propionamide);
- (15) β' -Phenyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*,3-diphenylpropanamide (Other name: 3-phenylpropanoyl fentanyl);
- (16) Betaprodine;
- (17) Butyryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbutanamide);
- (18) Clonitazene;
- (19) Crotonyl fentanyl (Other name: (6-2-5) (E)-*N*-(1-Phenethylpiperidin-4-yl)-*N*-phenylbut-2-enamide);
- (20) Cyclopentyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-Phenylcyclopentanecarboxamide);

- (21) Cyclopropyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylcyclopropanecarboxamide);
- (22) Diampromide;
- (23) Diethylthiambutene;
- (24) Difenoxin;
- (25) Dimenoxadol;
- (26) Dimethylthiambutene;
- (27) Dioxaphetyl butyrate;
- (28) Dipipanone;
- (29) Ethylmethylthiambutene;
- (30) Etonitazene;
- (31) Etoxidine;
- (32) Fentanyl carbamate (ethyl (1-phenethylpiperidin-4-yl)(phenyl)carbamate);
- (33) 4-Fluoroisobutyryl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide) (Other name: *p*-fluoroisobutyryl fentanyl);
- (34) 2'-Fluoro *o*-fluorofentanyl (*N*-(1-(2-fluorophenethyl)piperidin-4-yl)-*N*-(2-fluorophenyl)propionamide (Other name: 2'-fluoro 2-fluorofentanyl)
- (35) Furanyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylfuran-2-carboxamide);
- (36) Furethidine;
- (37) Hydroxypethidine;
- (38) Isobutyryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylisobutyramide);
- *(39) Isotonitazene (*N,N*-diethyl-2-(2-(4-isopropoxybenzyl)-5-nitro-1*H*-benzimidazol-1-yl)ethan-1-amine);
- (40) Ketobemidone;
- (41) Levophenacymorphan;
- (42) Meprodine;
- (43) Methadol;
- (44) Methoxyacetyl fentanyl (2-methoxy-*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylacetamide);
- (45) 4'-Methyl acetyl fentanyl (*N*-(1-(4-methylphenethyl)piperidin-4-yl)-*N*-phenylacetamide);

- (46) 3-Methylfentanyl (*N*-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-*N*-phenylpropanamide);
- (47) 3-Methylthiofentanyl (*N*-[3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-*N*-phenylpropanamide);
- (48) Moramide;
- (49) Morpheridine;
- (50) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- (51) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);
- (52) Noracymethadol;
- (53) Norlevorphanol;
- (54) Normethadone;
- (55) Norpipanone;
- (56) Ocfentanil (*N*-(2-fluorophenyl)-2-methoxy-*N*-(1-phenethylpiperidin-4-yl)acetamide);
- (57) *o*-Fluoroacryl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)acrylamide);
- (58) *o*-Fluorobutyryl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide (Other name: 2-fluorobutyryl fentanyl);
- (59) *o*-Fluorofentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide) (Other name: 2-fluorofentanyl);
- (60) *o*-Fluoroisobutyryl fentanyl (*N*-(2-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide);
- (61) *o*-Methyl acetylfentanyl (*N*-(2-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide (Other name: 2-methyl acetylfentanyl);
- (62) *o*-Methyl methoxyacetyl fentanyl (2-methoxy-*N*-(2-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)acetamide (Other name: 2-methyl methoxyacetyl fentanyl);
- (63) *p*-Chloroisobutyryl fentanyl (*N*-(4-chlorophenyl)-*N*-(1-phenethylpiperidin-4-yl)isobutyramide);
- (64) *p*-Fluorobutyryl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide);
- (65) *p*-Fluorofentanyl (*N*-(4-fluorophenyl)-*N*-[1-(2-phenethyl)-4 piperidinyl]propanamide);
- (66) *p*-Fluoro furanyl fentanyl (*N*-(4-fluorophenyl)-*N*-(1-phenethylpiperidin-4-yl)furan-2-carboxamide);

- (67) *p*-Methoxybutyryl fentanyl (*N*-(4-methoxyphenyl)-*N*-(1-phenethylpiperidin-4-yl)butyramide);
- (68) *p*-Methylfentanyl (*N*-(4-methylphenyl)-*N*-(1-phenethylpiperidin-4-yl)propionamide (Other name: 4-methylfentanyl);
- (69) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- (70) Phenadoxone;
- (71) Phenampromide;
- (72) Phencyclidine;
- (73) Phenomorphan;
- (74) Phenoperidine;
- (75) Phenyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylbenzamide (Other name: benzoyl fentanyl);
- (76) Piritramide;
- (77) Proheptazine;
- (78) Properidine;
- (79) Propiram;
- (80) Tetrahydrofuranyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenyltetrahydrofuran-2-carboxamide);
- (81) Thiofentanyl (*N*-phenyl-*N*-[1-(2-thienyl)ethyl-4-piperidinyl]-propanamide);
- (82) Thiofuranyl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*-phenylthiophene-2-carboxamide (Other names: 2-thiofuranyl fentanyl; thiophene fentanyl);
- (83) Tilidine;
- (84) Trimeperidine;
- (85) U-47700 (3,4-dichloro-*N*-[2-(dimethylamino)cyclohexyl]-*N*-methylbenzamide; and,
- (86) Valeryl fentanyl (*N*-(1-phenethylpiperidin-4-yl)-*N*- phenylpentanamide).

-Schedule I stimulants

Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including the substance's salts, isomers, and salts of isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Aminorex (Other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline; 4,5-dihydro-5-phenyl-2-oxazolamine);
- (2) *N*-Benzylpiperazine (Other names: BZP; 1-benzylpiperazine), its optical isomers, salts and salts of isomers;
- (3) Cathinone (Other names: 2-amino-1-phenyl-1-propanone; α -aminopropiophenone; 2-aminopropiophenone; norephedrone);
- * (4) 4,4'-Dimethylaminorex (Other names: 4,4'-DMAR; 4,5-dihydro-4-methyl-5-(4-methylphenyl)-2-oxazolamine; 4-methyl-5-(4-methylphenyl)-4,5-dihydro-1,3-oxazol-2-amine);
- (5) Fenethylamine;
- (6) Methcathinone (Other names: 2-(methylamino)-propionophenone; α -(methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one; α -*N*-methylaminopropiophenone; monomethylpropion; ephedrone; *N*-methylcathinone; methylcathinone; AL-464; AL-422; AL-463; UR1432);
- (7) 4-Methylaminorex (Other names: U4Euh; McN-422);
- (8) *N*-Ethylamphetamine; and,
- (9) *N,N*-Dimethylamphetamine (Other names: *N,N*- α -trimethylbenzene-ethaneamine; *N,N*- α -trimethylphenethylamine).

Changes are marked by an asterisk(*)

TRD-202202269
 Cynthia Hernandez
 General Counsel
 Department of State Health Services
 Filed: June 15, 2022

publication, addressed to the attention of John Carter, 333 Guadalupe Street, MC FRD-CL, Austin, Texas 78701.

TRD-202202272
 Allison Eberhart
 Deputy General Counsel
 Texas Department of Insurance
 Filed: June 15, 2022

◆ ◆ ◆
Texas Department of Insurance

Company Licensing

Application for incorporation in the state of Texas for Agri-Services Health Plan, Inc., a domestic Multiple Employer Welfare Arrangement (MEWA). The home office is in Grapevine, Texas.

Application for Plans Liability Insurance Company, a foreign fire and/or casualty company, to change its name to Fortitude Casualty Insurance Company. The home office is in Columbus, Ohio.

Any objections must be filed with the Texas Department of Insurance, within twenty (20) calendar days from the date of the *Texas Register*

◆ ◆ ◆
Texas Lottery Commission

Scratch Ticket Game Number 2412 "POWER SHOT"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2412 is "POWER SHOT". The play style is "find symbol".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2412 shall be \$5.00 per Scratch Ticket.