

the agency website at <https://hhs.texas.gov/strategic-plans> for the draft Health and Human Services Strategic Planning Elements for 2019-2023. The public hearing will take place on April 30, 2018, at 1:30 p.m. Central Daylight Time (CDT) in the Brown-Heatly Building Public Hearing Room, at 4900 North Lamar Blvd., Austin, Texas 78751. The phone call-in number is (877) 820-7831, and the Guest Passcode is 863097.

In-Person and Telephone Testimony. Public testimony will be taken in person at the meeting as well as via telephone. Every person wishing to testify at the hearing will be required to register at the meeting. Every person wishing to testify via telephone must submit an email to strategicplancomments@hhsc.state.tx.us no later than 10:00 a.m. CDT on Monday, April 30, 2018; the email must include the person's name, a telephone number where he or she can be reached, and a statement requesting to submit oral testimony via telephone. Testimony will first be taken from all persons present at the meeting and will be followed by testimony submitted via telephone.

Written Comments. Written comments will be taken until 5:00 p.m. on Monday, April 30, 2018. 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: Laura Lucinda, Mail Code 1045
P.O. Box 149030
Austin, Texas 78714-9030

Overnight mail, special delivery mail, or hand delivery

Texas Health and Human Services Commission
Attention: Laura Lucinda, Mail Code 1045
Brown-Heatly Building
4900 North Lamar Blvd.
Austin, Texas 78751
Phone number for package delivery: (512) 487-3334

Fax

(512) 424-6955
Attention: Strategic Planning

Email

strategicplancomments@hhsc.state.tx.us
TRD-201801762
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: April 20, 2018



Public Notice - Texas State Plan for Medical Assistance Amendment

The Texas Health and Human Services Commission announces its intent to submit an amendment to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act. The proposed amendment is effective July 1, 2018.

The purpose of this amendment is to update the fee schedules in the current state plan by adjusting or implementing the fees for Clinical Diagnostic Laboratory Services.

The proposed amendment is estimated to result in an aggregate cost savings of \$2,701,262 for the remainder of federal fiscal year (FFY) 2018, consisting of \$1,536,120 in federal funds and \$1,165,142 in state general revenue. For FFY 2019, the estimated annual aggregate cost savings is \$10,969,027, consisting of \$6,382,877 in federal funds and \$4,586,150 in state general revenue. For FFY 2020, the estimated annual aggregate cost savings is \$11,132,369, consisting of \$6,477,926 in federal funds and \$4,654,443 in state general revenue.

Further detail on specific rates and percentage changes is available on the HHSC Rate Analysis website under the proposed effective date at: <http://rad.hhs.texas.gov/rate-packets>.

Rate Hearing. A rate hearing will be held on May 15, 2018, at 1:30 p.m. in Austin, Texas. Information about the proposed rate changes (including methodology and justification) and the hearing can be found in the March 30, 2018, issue of the *Texas Register* on pages 2054 - 2056 at <http://www.sos.state.tx.us/texreg/index.shtml>.

Copy of Proposed Amendment. Interested parties may obtain a free copy of the proposed amendment by contacting Doneshia Ates, State Plan Advisor, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, TX 78711; by telephone at (512) 428-1963; by facsimile at (512) 730-7472; or by e-mail to Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us. Copies of the proposed amendments will be available for review at the local county 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: Rate Analysis, Mail Code H-400
P.O. Box 149030
Austin, TX 78714-9030

Overnight mail, special delivery mail, or hand delivery

Texas Health and Human Services Commission
Attention: Rate Analysis, Mail Code H-400
Brown-Heatly Building
4900 North Lamar Blvd.
Austin, TX 78751
Phone number for package delivery: (512) 730-7401

Fax

Attention: RAD Hospital Department at (512) 730-7475

Email

RADAcuteCare@hhsc.state.tx.us
TRD-201801874
Karen Ray
Chief Counsel
Texas Health Human Services Commission
Filed: April 25, 2018



Department of State Health Services

Order Placing MT-45 into Schedule I, and Cyclopropyl Fentanyl into Schedule I Temporarily Listed Substances

The Administrator of the Drug Enforcement Administration issued a temporary scheduling order to schedule the synthetic opioid N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide (Other name: cyclopropyl fentanyl) including its isomers, esters, ethers, salts, and salts of isomers, esters and ethers in Schedule I of the Controlled Substances Act effective January 4, 2018. This temporary scheduling order was published in the *Federal Register*, Volume 83, Number 3, pages 469-472. This action was based on the following:

1. Cyclopropyl fentanyl has a high potential for abuse;
2. Cyclopropyl fentanyl has no currently accepted medical use in treatment in the United States;
3. Cyclopropyl fentanyl has a lack of accepted safety for use under medical supervision; and,
4. Temporary placement of cyclopropyl fentanyl into Schedule I is necessary to avoid an imminent hazard to the public safety.

The Administrator of the Drug Enforcement Administration issued a final order placing 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine (Other name: MT-45), including its salts, isomers, and salts of isomers into Schedule I of the Controlled Substances Act effective January 12, 2018. This final order was published in the *Federal Register*, Volume 82, Number 238, pages 58557-58559. This action was based on the following:

1. The 59th session of the Commission on Narcotic drugs, added MT-45 to Schedule I of the Single Convention;
2. The United States is obligated to control MT-45 under the Single Convention on Narcotic Drugs, 1961; and,
3. MT-45 has 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 substance cyclopropyl fentanyl be temporarily placed into Schedule I; and also orders that the substance MT-45 be placed into Schedule I.

SCHEDULE I

-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:

*(34) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine)

-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, and salts of isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation.

*(18) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide (Other name: cyclopropyl fentanyl)

Changes to the schedules are marked with an asterisk (*).

TRD-201801870

Barbara L. Klein
General Counsel
Department of State Health Services
Filed: April 24, 2018

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Order Placing Valeryl Fentanyl, Para-fluorobutyryl Fentanyl, Para-methoxybutyryl Fentanyl, Para-chloroisobutyryl Fentanyl; Isobutyryl Fentanyl; Cyclopentyl Fentanyl; Ocfentanil; and Fentanyl-related Substances into Schedule I Temporarily Listed Substances

The Administrator of the Drug Enforcement Administration issued a temporary scheduling order to place seven fentanyl-related substances into schedule I effective February 1, 2018.

These substances are:

N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide (valeryl fentanyl);

N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide (para-fluorobutyryl fentanyl);

N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide (para-methoxybutyryl fentanyl);

N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide (para-chloroisobutyryl fentanyl);

N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide (isobutyryl fentanyl);

N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide (cyclopentyl fentanyl); and

N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide (ocfentanil).

This temporary scheduling order was published in the *Federal Register*, Volume 83, Number 22, pages 4580-4585. This action was based on the following:

1. Valeryl fentanyl, para-fluorobutyryl fentanyl, para-methoxybutyryl fentanyl, para-chloroisobutyryl fentanyl; isobutyryl fentanyl; cyclopentyl fentanyl; and ocfentanil have a high potential for abuse;

2. Valeryl fentanyl, para-fluorobutyryl fentanyl, para-methoxybutyryl fentanyl, para-chloroisobutyryl fentanyl; isobutyryl fentanyl; cyclopentyl fentanyl; and ocfentanil have no currently accepted medical use in treatment in the United States;

3. Valeryl fentanyl, para-fluorobutyryl fentanyl, para-methoxybutyryl fentanyl, para-chloroisobutyryl fentanyl; isobutyryl fentanyl; cyclopentyl fentanyl; and ocfentanil have a lack of accepted safety for use under medical supervision; and,

4. Temporary placement of valeryl fentanyl, para-fluorobutyryl fentanyl, para-methoxybutyryl fentanyl, para-chloroisobutyryl fentanyl; isobutyryl fentanyl; cyclopentyl fentanyl; and ocfentanil into Schedule I is necessary to avoid an imminent hazard to the public safety.

The Administrator of the Drug Enforcement Administration issued a temporary scheduling order to place fentanyl-related substances that are not currently listed in any Schedule of the Controlled Substances Act and their isomers, esters, ethers, salts and salts of isomers, esters, and ethers into Schedule I effective February 6, 2018. This temporary scheduling order was published in the *Federal Register*, Volume 83, Number 25, pages 5188-5192. This action was based on the following:

1. These fentanyl-related substances have a high potential for abuse;

2. These fentanyl-related substances have no currently accepted medical use in treatment in the United States;
3. These fentanyl-related substances have a lack of accepted safety for use under medical supervision; and,
4. Temporarily placement of these fentanyl-related substances into schedule I is necessary to avoid an imminent hazard to the public safety.

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 valeryl fentanyl, para-fluorobutyryl fentanyl, para-methoxybutyryl fentanyl, para-chloroisobutyryl fentanyl; isobutyryl fentanyl; cyclopentyl fentanyl; ocfentanil as well as any fentanyl-related substances that are not currently listed in any Schedule of the Controlled Substances Act and their isomers, esters, ethers, salts and salts of isomers, esters, and ethers be temporarily placed into Schedule I;

SCHEDULE I

-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, and salts of isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation.

- *(19) N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: valeryl fentanyl);
- *(20) N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: para-fluorobutyryl fentanyl);
- *(21) N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: para-methoxybutyryl fentanyl);
- *(22) N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: para-chloroisobutyryl fentanyl);
- *(23) N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: isobutyryl fentanyl);
- *(24) N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: cyclopentyl fentanyl);
- *(25) N-(2-fluorophenyl)-2-methoxy-N-(1-phenethylpiperidin-4-yl)acetamide, its isomers, esters, ethers, salts and salts of isomers, esters and ethers (Other name: ocfentanil); and
- *(26) Fentanyl-related substances, their isomers, esters, ethers, salts and salts of isomers, esters and ethers.

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:

- *(26-1) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;
- *(26-2) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino or nitro groups;
- *(26-3) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;
- *(26-4) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or
- *(26-5) Replacement of the N-propionyl group by another acyl group.

Changes to the schedules are marked with an asterisk (*).

TRD-201801871
Barbara L. Klein
General Counsel
Department of State Health Services
Filed: April 24, 2018

Texas Department of Insurance

Company Licensing

Application for PROSELECT NATIONAL INSURANCE COMPANY, INC., a foreign fire and/or casualty company, to change its name to CIMARRON INSURANCE COMPANY, INC. The home office is in Scottsdale, Arizona.

Application to do business in the state of Texas for DENTAL CARE PLUS, INC., a foreign life, accident and/or health company. The home office is in Sharonville, Ohio.

Application to do business in the state of Texas for ATHENE LIFE INSURANCE COMPANY, a foreign life, accident and/or health company. The home office is in Wilmington, Delaware.

Any objections must be filed with the Texas Department of Insurance, within twenty (20) calendar days from the date of the *Texas Register* publication, addressed to the attention of Jeff Hunt, 333 Guadalupe Street, MC 103-CL, Austin, Texas 78701.

TRD-201801877
Norma Garcia
General Counsel
Texas Department of Insurance
Filed: April 25, 2018

Texas Lottery Commission

Scratch Ticket Game Number 2058 "Blackjack"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2058 is "BLACKJACK". The play style is "cards - blackjack".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2058 shall be \$1.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2058.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.