

**Attachment 6
(Revised 06-14-05)**

**Executive Clerk Process for
Final Rule Adoption**

The agency Commissioner or designee submits the proposed rule packet requesting Executive Commissioner rule adoption in electronic format to the Executive Clerk's office mailbox at HHS_Rules@hhsc.state.tx.us. HHSC requests for proposed rule adoption packets will be forwarded in electronic format to the Executive Clerk's office at HHS_Rules@hhsc.state.tx.us by the appropriate HHS Deputy Executive Commissioner or designee.

The rule packet consists of the following files, which should be submitted in the order shown below:

- Request for Adoption of Proposed Rules Memo (follows the Executive Clerk Action Memo format and must include agency General Counsel line approval certifying the rule meets all legal requirements for adoption and must include summary of comments from publication);
 - (1) Order Adopting Rule;
 - (2) Preamble;
 - (3) Rule; and
 - (4) Rulemaking Fiscal Impact Form.

The subject line on the Request for Adoption of Proposed Rules Memo should mirror the subject line on the Request for Publication of Proposed Rules Memo, including the unique number assigned to that memo by the Executive Clerk's office. The example below should be followed:

(Unique Number) CHIP Eligibility Rules (This is the Request for Adoption of Proposed Rules Memo.)
(Unique Number) CHIP Eligibility Rules – Attachment 1 (This is the Order Adopting Rule.)
(Unique Number) CHIP Eligibility Rules – Attachment 2 (This is the preamble.)
(Unique Number) CHIP Eligibility Rules – Attachment 3 (This is the rule.)
(Unique Number) CHIP Eligibility Rules – Attachment 4 (This is the rulemaking fiscal impact form.)

Upon receipt of the rule packet, the Executive Clerk's office will route the packet for comments from the appropriate HHS Senior Policy Advisor, HHS financial staff, and HHS legal staff.

After receiving comments from the HHS Senior Policy Advisor and HHS financial and legal staff, the Executive Clerk's office will forward the rule packet to the Executive Commissioner for final disposition relating to adoption of the proposed rules.

The Executive Clerk's office will e-mail the agency Commissioner or designee the Executive Commissioner's approval/disapproval for adoption of the proposed rules. Copies of the e-mail

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will be forwarded to the HHS Deputy Executive Commissioner and the HHS Senior Policy Advisor. The e-mail subject will read: (Unique Number) – Executive Commissioner Action on Adoption of Proposed Rules.

For HHSC requests for adoption of proposed rules, the Executive Clerk's office will e-mail the appropriate HHS Deputy Executive Commissioner or designee and the HHS Senior Policy Advisor the Executive Commissioner's approval/disapproval for adoption of the proposed rules. It is the responsibility of the Deputy Executive Commissioner or designee to notify the HHSC program area of the Executive Commissioner's decision. The e-mail subject will read: (Unique Number) – Executive Commissioner Action on Publication of Proposed Rules.