

available for review at the local county offices of the Texas Health and Human Services Commission (which were formerly the local offices of the Department of Aging and Disability Services).

Written Comments.

Written comments about the proposed amendments 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, Texas 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, Texas 78751
Phone number for package delivery: (512) 730-7401

Fax

Attention: Rate Analysis at (512) 730-7475

Email

RAD_Operations@hhsc.state.tx.us
TRD-201902846
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Filed: August 21, 2019

Department of State Health Services

Orders Placing Brexanolone and Solriamfetol into Schedule IV; and Final Placement of Thiafentanil into Schedule II

The Drug Enforcement Administration issued an interim final rule placing brexanolone (3[alpha]-hydroxy-5[alpha]-pregnan-20-one; Other name allopregnanolone) including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible, in schedule IV of the Controlled Substances Act, effective June 17, 2019. This interim final rule was published in the *Federal Register*, Volume 84, Number 116, pages 27938-27943.

This scheduling action was based on the following:

1. Brexanolone has a low potential for abuse relative to the drugs or other substances in Schedule III;
2. Brexanolone has a currently accepted medical use in the United States; and
3. Abuse of Brexanolone may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule III.

The Drug Enforcement Administration issued an interim final rule placing solriamfetol ((R)-2-amino-3-phenylpropyl carbamate hydrochloride), including its salts, isomers, and salts of isomers whenever the

existence of such salts, isomers, and salts of isomers is possible, in schedule IV of the Controlled Substances Act, effective June 17, 2019. This interim final rule was published in the *Federal Register*, Volume 84, Number 116, pages 27943-27947.

This scheduling action was taken based on the following:

1. Solriamfetol has a low potential for abuse relative to the drugs or other substances in schedule III;
2. Solriamfetol has a currently accepted medical use in the United States; and
3. Solriamfetol may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule III.

The Drug Enforcement Agency issued a final rule adopting, without change, the interim final rule placing thiafentanil into schedule II as published in the August 26, 2016 issue of the *Federal Register*, Volume 81, Number 166, pages 58834-58840. This final rule also substitutes a more accurate chemical name for thiafentanil, specifically methyl 4-(2-methoxy-N-phenylacetamido)-1-(2-(thiophen-2-yl)ethyl)piperidine-4-carboxylate). This final rule is effective June 18, 2019, and was published in the *Federal Register*, Volume 84, Number 117, pages 28212-28214.

Additionally, a typographic error is being corrected under the entry for schedule III depressants, specifically gamma hydroxybutyric acid. The correction changes the word "isoner" to "isomers."

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 brexanolone and solriamfetol be placed in schedule IV; and thiafentanil be maintained in schedule II, as well as correction of a typographic error in schedule III.

--Schedule II Opiates

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

- (1) Alfentanil;
- (2) Alphaprodine;
- (3) Anileridine;
- (4) Bezitramide;
- (5) Carfentanil;
- (6) Dextropropoxyphene, bulk (nondosage form);
- (7) Dihydrocodeine;
- (8) Diphenoxylate;
- (9) Fentanyl;
- (10) Isomethadone;
- (11) Levo-alphaacetylmethadol (other names: levo-alpha-acetylmethadol, levomethadyl acetate, LAAM);
- (12) Levomethorphan;
- (13) Levorphanol;
- (14) Metazocine;
- (15) Methadone;

- (16) Methadone Intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane;
- (17) Moramide Intermediate, 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;
- (18) Pethidine (meperidine);
- (19) Pethidine Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- (20) Pethidine Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- (21) Pethidine Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- (22) Phenazocine;
- (23) Piminodine;
- (24) Racemethorphan;
- (25) Racemorphan;
- (26) Remifentanil;
- (27) Sufentanil;
- (28) Tapentadol; and
- * (29) Thiafentanil (methyl 4-(2-methoxy-N-phenylacetamido)-1-(2-(thiophen-2-yl)ethyl)piperidine-4-carboxylate).

--Schedule III depressants

Unless listed in another schedule and except as provided by the Texas Controlled Substances Act, Health and Safety Code, Section 481.033, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

- (1) a compound, mixture, or preparation containing amobarbital, secobarbital, pentobarbital, or any of their salts and one or more active medicinal ingredients that are not listed in a schedule;
- (2) a suppository dosage form containing amobarbital, secobarbital, pentobarbital, or any of their salts and approved by the Food and Drug Administration for marketing only as a suppository;
- (3) a substance that contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances that are specifically listed in other schedules;
- (4) Chlorhexadol;

* (5) Any drug product containing gamma hydroxybutyric acid, including its salts, isomers, and salts of isomers, for which an application is approved under section 505 of the Federal Food Drug and Cosmetic Act;

--Schedule IV depressants

Except as provided by the Texas Controlled Substances Act, Health and Safety Code, Section 481.033, a material, compound, mixture, or preparation that contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system, including the substance's salts, optical, positional, or geometric isomers, and salts of those isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Alfaxalone (5[alpha]-pregnan-3[alpha]-ol-11,20-dione);
- (2) Alprazolam;
- (3) Barbitol;

* (4) Brexanolone (3[alpha]-hydroxy-5[alpha]-pregnan-20-one) (Other name: allopregnanolone);

- (5) Bromazepam;
- (6) Camazepam;
- (7) Chloral betaine;
- (8) Chloral hydrate;
- (9) Chlordiazepoxide;
- (10) Clobazam;
- (11) Clonazepam;
- (12) Clorazepate;
- (13) Clotiazepam;
- (14) Cloxazolam;
- (15) Delorazepam;
- (16) Diazepam;
- (17) Dichloralphenazone;
- (18) Estazolam;
- (19) Ethchlorvynol;
- (20) Ethinamate;
- (21) Ethyl loflazepate;
- (22) Fludiazepam;
- (23) Flunitrazepam;
- (24) Flurazepam;
- (25) Fospropofol;
- (26) Halazepam;
- (27) Haloxazolam;
- (28) Ketazolam;
- (29) Loprazolam;
- (30) Lorazepam;
- (31) Lormetazepam;
- (32) Mebutamate;
- (33) Medazepam;
- (34) Meprobamate;
- (35) Methohexital;
- (36) Methylphenobarbital (mephobarbital);
- (37) Midazolam;
- (38) Nimetazepam;
- (39) Nitrazepam;
- (40) Nordiazepam;
- (41) Oxazepam;
- (42) Oxazolam;
- (43) Paraldehyde;
- (44) Petrichloral;
- (45) Phenobarbital;

- (46) Pinazepam;
- (47) Prazepam;
- (48) Quazepam;
- (49) Suvorexant;
- (50) Temazepam;
- (51) Tetrazepam;
- (52) Triazolam;
- (53) Zaleplon;
- (54) Zolpidem; and
- (55) Zopiclone, its salts, isomers, and salts of isomers.

--Schedule IV stimulants

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, optical, positional, or geometric isomers, and salts of those isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Cathine [(+) norpseudoephedrine];
- (2) Diethylpropion;
- (3) Fencamfamin;
- (4) Fenfluramine;
- (5) Fenproporex;
- (6) Mazindol;
- (7) Mefenorex;
- (8) Modafinil;
- (9) Pemoline (including organometallic complexes and their chelates);
- (10) Phentermine;
- (11) Pipradrol;
- * (12) Solriamfetol ((R)-2-amino-3-phenylpropyl carbamate) (Other names: benzenepropanol, beta-amino-carbamate (ester));
- (13) Sibutramine; and
- (14) SPA [1-dimethylamino-1,2-diphenylethane].

Changes are marked by an asterisk(*).

TRD-201902670
Barbara L. Klein
General Counsel
Department of State Health Services
Filed: August 14, 2019

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Texas Department of Housing and Community Affairs

Notice of Public Hearing TDHCA Multifamily Housing Revenue Bonds (Ventura at Hickory Tree 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 City of Balch Springs Public Library Learning Center, 12450 Elam Road, Balch Springs, Texas 75180 at 5:30 p.m. on September 18, 2019. The hearing is regarding an issue of tax-exempt bonds in an aggregate prin-

cipal amount not to exceed \$30,000,000 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 Project is known as Ventura at Hickory Tree Apartments to be located at 3401 Hickory Tree Road, Balch Springs, Dallas County, Texas 75180. The initial legal owner and principal user of the Development will be Balch Springs Leased Housing Associates, I, LLLP, a Minnesota limited liability 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 views in writing to Shannon Roth prior to the date scheduled for the hearing. Individuals who require a language interpreter for the public hearing should contact Elena Peinado at (512) 475-3814 at least five days prior to the hearing date so that appropriate arrangements can be made. Personas que hablan español y requieren un intérprete, favor de llamar a Elena Peinado al siguiente número (512) 475-3814 por lo menos cinco días antes de la junta para hacer los preparativos apropiados.

Individuals who require auxiliary aids in order to attend this hearing should contact Shannon Roth, ADA Responsible Employee, at (512) 475-3929 or Relay Texas at (800) 735-2989 at least five days before the hearing so that appropriate arrangements can be made.

This notice is published and the hearing is to be held in satisfaction of the requirements of section 147(f) of the Code.

<http://www.tdhca.state.tx.us/multifamily/communities.htm>

TRD-201902834
Bobby Wilkinson
Executive Director
Texas Department of Housing and Community Affairs
Filed: August 21, 2019

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TDHCA Announcement of a Request for Proposal from Firms Interested in Providing Services of a Mortgage Warehouse Facility

The Texas Department of Housing and Community Affairs ("TDHCA") is issuing a request for proposal from firms interested in providing services of a Mortgage Warehouse Facility (to be provided by a Warehouse Provider) to temporarily warehouse Certificates issued or guaranteed as to payment by Fannie Mae, Freddie Mac, and Ginnie Mae.

Responses to the RFP must be received at TDHCA no later than 2:00 p.m. (CT) on Tuesday, September 11, 2019. To obtain a copy of the RFP, please email your request to the attention of Roxanne Koltermann at Roxanne.koltermann@tdhca.state.tx.us. The RFP can also be viewed on the Electronic State Business Daily (ESBD) www.txsmartbuy.com and you can search by the RFP number (Solicitation ID/PO Number) 332-RFP20-1002 or on the Department website at www.tdhca.state.tx.us under "What's New" on our homepage.