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SECRETARY OF STATE



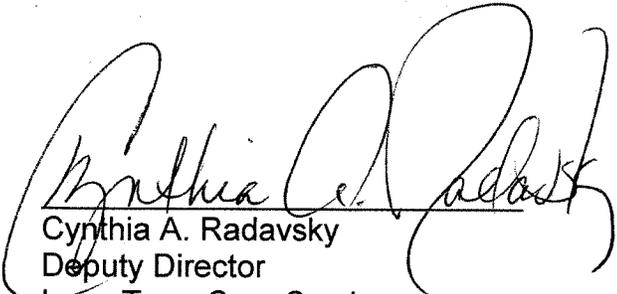
CALIFORNIA DEPARTMENT OF
Mental Health

1600 Ninth Street
Sacramento, CA 95814

CERTIFICATION PURSUANT TO 1 CCR 280

I, Cynthia A. Radavsky, Deputy Director of Long Term Care Services, California Department of Mental Health (Department), hereby certify:

1. The Department received on or about April 10, 2009, a copy of a petition from Disability Rights California that was addressed to the California Office of Administrative Law challenging as underground regulation Special Order No. 901.04. A copy of the petition is attached hereto as Exhibit A.
2. Special Order No. 901.04, which reflects an "Upon Approval" effective date, is still being reviewed and revised, and has not been issued by the Department. As such, the Department never did and will not issue, use, enforce, or attempt to enforce the alleged underground regulation.
3. A copy of the certification was sent to the petitioner by certified mail, and a copy of the receipt is attached hereto as Exhibit B.


Cynthia A. Radavsky
Deputy Director
Long Term Care Services
California Department of Mental Health

Dated 5-12-09