



California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

CONFLICT OF INTEREST CODES

ADOPTION

STATE AGENCY: Governor’s Office of Business and Economic Development (GO–Biz)

AMENDMENT

STATE AGENCY: California Exposition and State Fair

MULTI–COUNTY AGENCY: Mojave Desert Air Quality Management District

A written comment period has been established commencing on **January 25, 2013** and closing on **March 11, 2013**. Written comments should be directed to the Fair Political Practices Commission, Attention Adrienne Tackley, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45–day comment period, the proposed conflict of interest code(s) will be submitted to the Commission’s Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above–referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300,

which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re–submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **March 11, 2013**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not “costs mandated by the state” as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re–submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to Adrienne Tackley, Fair

Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Adrienne Tackley, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**TITLE 10. INSURANCE
COMMISSIONER**

**Date: January 17, 2013
CDI File No. REG-2012-00015**

**PRESCRIPTION DRUG PRIOR
AUTHORIZATION REQUESTS**

The California Department of Insurance (the "Department") proposes to adopt the regulation described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Department will hold a public hearing starting at **11:00 a.m. on March 11, 2013**, at:

**California Department of Insurance
300 Capitol Mall
San Diego Room, 2nd Floor
Sacramento, CA 95814**

The facility is accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person for these hearings in order to make special arrangements. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Department requests but does not require that persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. Written comments and oral testimony will be given equal

weight in the Department's deliberations. Written comments should be emailed to Sheirin Ghoddoucy at Sheirin.Ghoddoucy@insurance.ca.gov. Alternatively, comments may be mailed or delivered to the California Department of Insurance, Attn: Sheirin Ghoddoucy, 300 Capitol Mall, 17th Floor, Sacramento, CA 95814.

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the proposed action may be sent to Kayte Fisher at Kayte.Fisher@insurance.ca.gov, or mailed or delivered to the California Department of Insurance, Attn: Kayte Fisher, 300 Capitol Mall, 17th Floor, Sacramento, CA 95814.

The written comment period closes at 5:00 p.m. on March 11, 2013. The Department will consider comments received by that time.

AUTHORITY AND REFERENCE

Insurance Code section 10123.191 authorizes the Department of Insurance to adopt this proposed regulation; the proposed regulation is promulgated pursuant to the authority granted by that statute. The proposed regulation implements, interprets and makes specific the provisions of section 10123.191.

INFORMATIVE DIGEST

This rulemaking action implements and makes specific the requirements of Insurance Code section 10123.191 regarding health insurers' prior authorization request forms and procedures for prescription drug benefits.

Summary of Existing Law

Insurance Code section 10123.191 mandates the adoption of a standardized form that health insurers and prescribing providers in California must use when submitting a prior authorization request for prescription drugs. The statute requires the California Department of Insurance (CDI) and the Department of Managed Health Care (DMHC) to jointly develop a standard prior authorization form, and also specifies that upon failure by the plan or insurer to accept the prior authorization form or to respond to a prescribing provider within two business days, section 10123.191 would deem the request for coverage granted.

Policy Statement Overview

The regulation proposed in this rulemaking action would designate the standard prescription drug prior authorization request form that must be used pursuant to Insurance Code section 10123.191. The proposed regulation would also effectuate and make specific the statute's requirements concerning health insurers' pro-

cedures relating to the use and processing of prescription drug prior authorization requests.

The broad objective of the proposed regulation is to improve patient access to medical care by streamlining the prior authorization request process for prescription drug benefits. Health plans and health insurers routinely require health care providers to submit forms for prior authorization of coverage when prescribing medications or treatments not routinely covered by the health plan or health insurer's formulary. Currently, each health plan or health insurer has its own prior authorization form. This multiplicity of prior authorization forms imposes a significant administrative burden on health care providers, resulting in significant delay of patient access to medication and increased health care costs.

The specific benefits anticipated from the proposed regulation are a streamlined prior authorization request process which would ease the administrative burden on prescribing providers, allow providers to devote more time to patient care, improve and expedite patient access to medication and treatment, reduce costs for both providers and insurers, and improve patient care.

Comparable Federal Law

There are no existing federal regulations or statutes comparable to the proposed regulation.

Consistency or Compatibility with Existing State Regulations

The proposed regulation is consistent and compatible with all existing regulations. The regulation is generally clarifying in nature.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The proposed regulation does not impose any mandate on local agencies or school districts. There are no costs to local agencies or school districts for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement.

COST OR SAVINGS TO STATE AGENCIES, LOCAL AGENCIES OR SCHOOL DISTRICTS OR IN FEDERAL FUNDING

The Commissioner has determined that the proposed regulation will result in no cost or savings to any state agency, no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code, no other nondiscretionary cost or savings imposed on local agencies, and no cost or savings in federal funding to the State.

ECONOMIC IMPACT ON BUSINESS AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The Commissioner has made an initial determination that the proposed regulation will not have any significant, statewide adverse economic impacts affecting business, including the ability of California businesses to compete with businesses in other states. The statutory framework has already been enacted, and the proposed regulation does not impose substantial, additional requirements that would increase business costs.

POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

The Commissioner has determined that health care insurers subject to the proposed regulation are likely to experience some cost impact, but such costs are primarily attributable to the enacted statute (Insurance Code section 10123.191). The costs attributable to the proposed regulation, if any, are most likely minimal.

The Commissioner is not aware of any cost impacts that a representative private person or business, other than the insurers, would necessarily incur in reasonable compliance with the proposed regulation.

IMPACT ON SMALL BUSINESS

The Commissioner has made an initial determination that the adoption of the proposed regulation will not significantly affect small businesses. The measure will affect insurers who, by law, are not small businesses, according to Government Code section 11342.610(b)(2). Moreover, since the costs of converting to the form are attributable to the statute, and not to this proposed regulation, there is no economic impact. However, the Commissioner invites public comments on the question of economic impact on small businesses.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Adoption of this proposed regulation will not impact: (1) the creation or elimination of jobs in the State of California; (2) the creation of new businesses or the elimination of existing businesses in the state; or (3) the expansion of businesses currently operating in the state. The Commissioner does not foresee that the proposed regulation will have an impact on any of the foregoing, but invites public comment on this issue.

The Commissioner believes adoption of this proposed regulation benefits the health and welfare of California residents by streamlining the prior authorization request process, thereby easing the administra-

tive burden on prescribing providers, allowing providers to devote more time to patient care, improving and expediting patient access to medication and treatment, reducing costs for both providers and insurers, and improving patient care. The Commissioner is not aware of any specific benefits of the regulation to worker safety or to the state's environment.

FINDING OF NECESSITY

The Commissioner finds that it is necessary for the welfare of the people of the State for the regulation to apply to businesses.

IMPACT ON HOUSING COSTS

The proposed regulation will have no significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Commissioner must determine in the Final Statement of Reasons that no reasonable alternative considered by the Commissioner, or that has otherwise been identified and brought to the attention of the Commissioner, would be more effective in carrying out the purpose for which this action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Commissioner invites interested parties to submit statements or arguments regarding alternatives to the proposed regulation at the scheduled hearing or during the written comment period.

TEXT OF REGULATION AND STATEMENTS OF REASONS

The Department of Insurance has prepared an Initial Statement of Reasons that sets forth the reasons for the proposed action. Upon request, the Initial Statement of Reasons will be made available for inspection and copying. Upon request, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared. Requests for the Initial Statement of Reasons or questions regarding this proceeding should be directed to the contact person listed above.

The file for this proceeding, which includes a copy of the express terms of the proposed action, the Initial Statement of Reasons, the information upon which the

proposed action is based, and any supplemental information, including any reports, documentation and other materials related to the proposed action that are contained in the rulemaking file, is available by appointment for inspection and copying at 300 Capitol Mall, 17th Floor, Sacramento, CA 95814, between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday.

AUTOMATIC MAILING

A copy of the proposed amendments and this Notice, including the Informative Digest, which contains the general substance of the proposed amendments to the regulation, will be sent to all persons who have previously filed a request to receive notice of proposed rulemaking with the Insurance Commissioner.

WEBSITE POSTINGS

Documents concerning this proceeding are available on the Department's website. To access them, go to <http://www.insurance.ca.gov>. Find at the right side of the page the heading 'QUICK LINKS.' The third item in the column under this heading is 'For Insurers'; on the drop-down menu for this item, select 'Legal Information.' When the 'INSURERS: LEGAL INFORMATION' screen appears, click the third item in the list of bulleted items near the top of the page: 'Proposed Regulations.' The 'INSURERS: PROPOSED REGULATIONS' screen will be displayed. Select the only available link: 'Search for Proposed Regulations.' Then, when the 'PROPOSED REGULATIONS' screen appears, you may choose to find the documents either by conducting a search or by browsing for them by name.

To search, enter "REG-2012-00015" (the Department's regulation file number for the amended regulation) in the search field.

To browse, click on the 'Currently Proposed Regulations' link. A list of the names of regulations for which documents are posted will appear. Find and click on the "PRESCRIPTION DRUG PRIOR AUTHORIZATION REQUESTS" link in the list. Links to the documents associated with the proposed regulation will then be displayed.

MODIFIED LANGUAGE

If the regulation adopted by the Department of Insurance substantially differs from that which has originally been made available, but is sufficiently related to the action proposed, the full text of the regulation will be available to the public for at least 15 days prior to the date of adoption. Interested persons should request a copy of this regulation prior to adoption from the contact person listed above.

TITLE 27. OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 PROPOSITION 65

AMENDMENT TO SECTION 25805 SPECIFIC REGULATORY LEVELS: CHEMICALS CAUSING REPRODUCTIVE TOXICITY BISPHENOL A JANUARY 25, 2013

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment (OEHHA) proposes to adopt a Proposition 65¹ Maximum Allowable Dose Level (MADL) of 290 micrograms per day for exposures to bisphenol A (BPA) by amending Section 25805(b) of Title 27 of the California Code of Regulations.²

BPA is currently being considered for listing via the authoritative bodies listing mechanism as known to cause reproductive toxicity. In the event that BPA is not listed, OEHHA will not proceed with the adoption of this MADL. OEHHA is proposing this MADL at this time to assist the public in assessing the potential impact of the listing.

PUBLIC PROCEEDINGS

Any written comments concerning this proposed action, regardless of the form or method of transmission, must be received by OEHHA by 5:00 p.m. on **March 11, 2013**, the designated close of the written comment period. All comments received will be posted on the OEHHA website at the close of the public comment period.

The public is encouraged to submit written information via e-mail, rather than in paper form. Send e-mail comments to P65Public.Comments@oehha.ca.gov. Please include "BPA MADL" in the subject line. Hard-copy comments may be mailed, faxed, or delivered in person to the appropriate address below.

¹ The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 *et seq.*, referred to herein as "Proposition 65" or "The Act."

² All further references are to sections of Title 27, Cal. Code of Regs., unless otherwise indicated.

Mailing Address: Ms. Monet Vela
Office of Environmental Health Hazard Assessment
P.O. Box 4010, MS-23B
Sacramento, California 95812-4010
Fax: (916) 323-2610
Street Address: 1001 I Street
Sacramento, California 95814

A public hearing on this proposed regulatory amendment will be scheduled on request. To request a hearing, please send an e-mail to Monet Vela at monet.vela@oehha.ca.gov or to the address listed above by no later than **February 25, 2013**. OEHHA will mail a notice of the hearing to the requester and interested parties on the Proposition 65 mailing list for regulatory public hearings. The notice will also be posted on the OEHHA web site at least ten days before the public hearing date. The notice will provide the date, time and location of the hearing.

If a hearing is scheduled and you have special accommodation or language needs, please contact Monet Vela at (916) 323-2517 or monet.vela@oehha.ca.gov at least one week in advance of the hearing. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

CONTACT

Please direct inquiries concerning the proposed regulatory action described in this notice to Monet Vela, in writing at the address given above, via e-mail to monet.vela@oehha.ca.gov or by calling (916) 323-2517. Susan Luong is a back-up contact person for inquiries concerning processing of this action and is available at susan.luong@oehha.ca.gov or by telephone at (916) 327-3015.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Proposition 65 prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to the State to cause cancer or reproductive toxicity, without first giving clear and reasonable warning to such individual³. The Act also prohibits a business from knowingly discharging a listed chemical into water or onto or into land where such chemical passes or probably will pass into any source of drinking water⁴. Warnings are not required and the discharge prohibition does not apply when exposures are insignifi-

³ Health and Safety Code section 25249.6.

⁴ Health and Safety Code section 25249.5.

cant.⁵ The MADL provides guidance for determining when an exposure is insignificant.⁶

Details on the basis for the proposed MADL for BPA are provided in the initial statement of reasons for this regulatory amendment, which is available on request from Monet Vela and is posted on the OEHHA web site at www.oehha.ca.gov.

The proposed MADL was derived using scientific methods outlined in Section 25803.

The proposed regulation would adopt the following MADL for BPA, by amending Section 25805 as follows (addition in underline):

(b) Chemical Name	Level (Micrograms/day)
...	
<u>Bisphenol A</u>	<u>290</u>
...	

No Inconsistency or Incompatibility with Existing Regulations

OEHHA has determined that the proposed regulation is neither inconsistent nor incompatible with existing state regulations because it does not impose any mandatory requirements on businesses, state or local agencies and does not address compliance with any other law or regulation.

Benefits of the Proposed Regulation

Some businesses may not be able to afford the expense of establishing a MADL and therefore may have to defend litigation for a failure to warn or for a prohibited discharge of the listed chemical. Adopting this regulation will save these businesses those expenses and may reduce litigation costs. By providing a MADL, this regulatory proposal does not require but may encourage businesses to lower the amount of the listed chemical in their products to a level that does not cause a significant exposure. This in turn may reduce exposures to chemicals that cause reproductive harm.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Impact on the Creation, Elimination, or Expansion of Jobs/Businesses in California:

This regulatory proposal will not affect the creation or elimination of jobs within the State of California. Proposition 65 requires businesses with ten or more employees to provide warnings when they expose people to chemicals that are listed under Proposition 65 as known to cause cancer or developmental or reproduc-

tive harm. The law also prohibits the discharge of listed chemicals into sources of drinking water. If BPA is eventually listed under Proposition 65, businesses who manufacture, distribute or sell products with BPA in the state would have to provide a warning if their product or activity exposes the public or employees to this chemical.

This regulatory proposal will have no effect on the creation/elimination/expansion of California businesses.

Benefits:

By providing an MADL, this regulatory proposal spares businesses the expense of calculating their own MADL and may also enable them to reduce or avoid litigation costs. In addition, the MADL does not require, but may encourage, businesses to lower the amount of the listed chemical in their product to a level that does not cause a significant exposure, thereby providing a public health benefit to Californians.

AUTHORITY

Health and Safety Code Section 25249.12.

REFERENCE

Health and Safety Code Sections 25249.5, 25249.6, 25249.9, 25249.10 and 25249.11.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Because Proposition 65 expressly⁷ does not apply to local agencies or school districts, OEHHA has determined the proposed regulatory action would not impose a mandate on local agencies or school districts nor does it require reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. OEHHA has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action.

COSTS OR SAVINGS TO STATE AGENCIES

Because Proposition 65 expressly⁸ does not apply to any State agency, OEHHA has determined that no savings or increased costs to any State agency will result from the proposed regulatory action.

⁵ Health and Safety Code sections 25249.9 and 25249.10.

⁶ See Sections 25801 through 25805.

⁷ See Health and Safety Code section 25249.11(b).

⁸ See Health and Safety Code section 25249.11(b).

EFFECT ON FEDERAL FUNDING TO
THE STATE

Because Proposition 65 expressly⁹ does not apply to any federal agency, OEHHA has determined that no costs or savings in federal funding to the State will result from the proposed regulatory action.

EFFECT ON HOUSING COSTS

OEHHA has determined that the proposed regulatory action will have no effect on housing costs because it provides compliance assistance to businesses subject to the Act, but does not impose any mandatory requirements on those businesses.

SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY AFFECTING
BUSINESS, INCLUDING ABILITY TO COMPETE

Because the proposed MADL provides compliance assistance to businesses subject to the Act, but does not impose any mandatory requirements on those businesses, OEHHA has made an initial determination that the adoption of the regulation will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES

The proposed MADL was developed to provide compliance assistance for businesses in determining whether a warning is required or a discharge is prohibited. The MADL provides a level of exposure at or below which a warning is not required and a discharge is not prohibited. Use of the MADL is not mandatory. The implementing regulations allow a business to calculate its own level.¹⁰ However, conducting such an analysis can be expensive and time consuming, and the resulting levels may not be defensible in an enforcement action.

EFFECT ON SMALL BUSINESSES

OEHHA has determined that the proposed regulation will not impose any mandatory requirements on small business. Rather, the proposed regulation will provide compliance assistance for small businesses subject to the Act because it will help them determine whether or not an exposure for which they are responsible is sub-

ject to the warning requirement or discharge prohibition of the Act.

CONSIDERATION OF ALTERNATIVES

The OEHHA must determine that no reasonable alternative considered by the OEHHA or that has otherwise been identified and brought to the attention of the OEHHA would either be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in this Notice.

AVAILABILITY OF STATEMENT OF REASONS
AND TEXT OF PROPOSED REGULATIONS

OEHHA has prepared and has available for public review an Initial Statement of Reasons for the regulation, all the information upon which the regulation is based, and the text of the regulation. A copy of the Initial Statement of Reasons, the text of the regulation and documents used by OEHHA to develop the proposed regulation are available upon request from OEHHA at the address and telephone number indicated above. These documents are also posted on OEHHA's Web site at www.oehha.ca.gov.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

The full text of any regulation which is changed or modified from the express terms of this proposed action will be made available at least 15 days prior to the date on which OEHHA adopts the resulting regulation. Notice of the comment period on changed regulations and the full text will be mailed to individuals who testified or submitted written comments at the public hearing, if held, or whose comments were received by OEHHA during the prior public comment period, and anyone who requests notification from OEHHA of the availability of such changes. Copies of the notice and the changed regulation will also be available on the OEHHA Web site at www.oehha.ca.gov.

FINAL STATEMENT OF REASONS

A copy of the Final Statement of Reasons for this regulatory action may be obtained, when it becomes available, from OEHHA at the address and telephone number indicated above, and on the OEHHA website at www.oehha.ca.gov.

⁹ See Health and Safety Code section 25249.11(b).

¹⁰ Section 25801 *et seq.*

DECISION NOT TO PROCEED

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(PROPOSITION 65)**

**NOTICE OF DECISION NOT TO PROCEED
PURSUANT TO GOVERNMENT CODE
SECTION 11347**

**TITLE 27, PROPOSED AMENDMENT TO
SECTION 25805**

**SPECIFIC REGULATORY LEVELS
CHEMICALS CAUSING REPRODUCTIVE
TOXICITY**

CHLOROFORM

JANUARY 25, 2013

On May 18, 2012, the Office of Environmental Health Hazard Assessment (OEHHA) provided a notice to adopt a specific regulatory level having no observable effect under Section 25805 for chloroform. The notice was also published on the OEHHA website.

OEHHA is withdrawing the proposal at this time. A public notice will be published in the event OEHHA decides to proceed with a proposed rulemaking at a later time.

For questions regarding the withdrawal of the proposal, you may contact OEHHA's Proposition 65 program at (916) 445-6900 or email P65Public.Comments@oehha.ca.gov. Please include "chloroform" in the subject line.

STATE LANDS COMMISSION

**NOTICE OF DECISION NOT TO PROCEED
Pursuant to Government Code section 11347**

Pursuant to Government Code Section 11347, the State Lands Commission hereby gives notice that it has decided not to proceed with the rulemaking action pub-

lished in the California Regulatory Notice Register (CRNR File Z-2012-0213-02), February 24, 2012. The proposed rulemaking for: Title 2, Administration, Division 3, State Property Operations, Chapter 1, State Lands Commission, Article 4.7, Performance Standards and Assessment Protocols for the Discharge of Ballast Water for Vessels Operating in California Waters.

Commission staff intends to reintroduce a revised draft of the proposed regulations, and all associated rulemaking documents in the near future.

Any interested person with questions concerning this rulemaking should contact Ravindra Varma at either (562) 499-6400 or by e-mail at: Ravi.Varma@slc.ca.gov or Chris Brown at either (916) 574-0236 or by e-mail at: Chris.Brown@slc.ca.gov.

The State Lands Commission will also publish this Notice of Decision Not to Proceed on its website (http://www.slc.ca.gov/Spec_Pub/MFD/Ballast_Water/Ballast_Water_Default.html).

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(PROPOSITION 65)**

NOTICE OF INTENT TO LIST: BISPHENOL A

January 25, 2013

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) intends to list the chemical Bisphenol A as known to the State to cause reproductive toxicity (developmental endpoint) under the Safe Drinking Water and Toxic Enforcement Act of 1986.¹ This action is being proposed under the authoritative bodies listing mechanism.²

¹ Commonly known as Proposition 65, the Safe Drinking Water and Toxic Enforcement Act of 1986 is codified in Health and Safety Code section 25249.5 *et seq.*

² See Health and Safety Code section 25249.8(b) and Title 27, Cal. Code of Regs., section 25306.

Chemical	CAS No.	Endpoint	Reference	Chemical Use
Bisphenol A	80-05-7	Developmental	NTP-CERHR (2008)	Component in poly-carbonate plastic used in water bottles, present in epoxy resins used to line food cans.

OEHHA requested information relevant to the possible listing of Bisphenol A in a notice published in the California Regulatory Notice Register on February 12, 2010 (Register 2010, Vol. No. 7-Z). OEHHA received several comments. Responses to those comments are being provided separately.

Background on listing via the authoritative bodies mechanism: Under the Proposition 65 regulations, a chemical must be listed via the authoritative bodies mechanism when two conditions are met:

- 1) An authoritative body formally identifies the chemical as causing reproductive toxicity (Section 25306(d)³).
- 2) The evidence considered by the authoritative body meets the sufficiency criteria contained in the regulations (Section 25306(g)).

However, the chemical is not listed if scientifically valid data which were not considered by the authoritative body clearly establish that the sufficiency of evidence criteria were not met (Section 25306(h)).

The National Toxicology Program (solely as to final reports of its Center for the Evaluation of Risks to Human Reproduction [NTP-CERHR]) is one of several institutions designated as authoritative for the identification of chemicals as causing reproductive toxicity (Section 25306(l)).

OEHHA is the lead agency for Proposition 65 implementation. After an authoritative body has made a determination about a chemical, OEHHA evaluates whether listing under Proposition 65 is required using the criteria contained in the regulations.

OEHHA's determination: Bisphenol A meets the criteria for listing as known to the State to cause repro-

ductive toxicity (developmental endpoint) under Proposition 65, based on findings of NTP (NTP-CERHR, 2008).

Formal identification and sufficiency of evidence for BPA: In 2008, the NTP-CERHR published a report on Bisphenol A titled "NTP-CERHR Monograph on the Potential Human Reproductive and Developmental Effects of Bisphenol A" (NTP-CERHR, 2008). The report concluded that the chemical causes developmental toxicity in laboratory animals at high levels of exposure. This report satisfies the formal identification and sufficiency of evidence criteria in the Proposition 65 regulations.

OEHHA is relying on the NTP's conclusion in the report that there is clear evidence of adverse developmental effects in laboratory animals at "high" levels of exposure. NTP found that Bisphenol A caused decreases in litter size or number of live pups/litter in rats (Kim et al. 2001, Tyl et al. 2002b) and in mice (Morrissey et al. 1987, Tyl et al. 2002a, NTP, 1985); effects on prenatal or early postnatal growth in rats (Kim et al. 2001, Tyl et al. 2002b) and in mice (Morrissey et al. 1987, Tyl et al. 2002a, Tyl et al. 2008); and delayed puberty in male mice (Tyl et al. 2008), male rats (Tyl et al. 2002b, Tan et al. 2003) and female rats (Tyl et al. 2002b, Tinwell et al. 2002). These studies are briefly summarized in Table 1. These studies were reviewed by OEHHA with regard to the criteria in the regulation (Section 25306(g)(2)). Information reviewed in these studies included experimental design, route of administration, numbers of test animals, choice of species, choice of dosage levels and maternal toxicity. The table emphasizes data relevant to the criteria in the regulation and does not provide a comprehensive description of all findings in the studies tabulated.

³ All referenced sections are from Title 27 of the Cal. Code of Regulations.

Table 1. Information from studies cited by NTP in concluding that Bisphenol A had clear evidence for developmental toxicity at high levels of exposure.

Study	Design	Observations at the LOAEL	
		Maternal Toxicity	Developmental Toxicity
Morrissey et al., 1987	CD-1 mice N=21-26 Exposures— Period: GD 6-15 Route: gavage Doses: 0, 500, 750, 1000, or 1250 mg/kg-day	LOAEL: 1250 mg/kg-day ↑ mortality ↓ body weight gain ↑ liver weight ↑ clinical observations Not reported: Food intake Kidney weight Histopathology	LOAEL: 1250 mg/kg-day ↑ % resorptions/litter ↓ fetal body weight
Kim et al., 2001	SD rats N=14-20 Exposures— Period: GD 1-20 Route: gavage Doses: 0, 100, 300, 1000 mg/kg-day	LOAEL: 300 mg/kg-day No mortality ↑ clinical observations ↓ body weight gain ↓ food intake GD4 Not reported: Organ weight Histopathology	LOAEL: 300 mg/kg-day ↓ fetal body weight/litter ↓ live fetuses/litter
NTP, 1985	CD-1 mice N=19 Female exposure only, beginning one week prior to mating, for 14 weeks Route: Diet Dose: 1920 mg/kg-day	LOAEL: 1920 mg/kg-day No ↑ mortality ↑ liver and kidney weights ↑ liver/kidney histopathology Not reported: Clinical observations Food intake (reported for mating pairs)	LOAEL: 1920 mg/kg-day ↓ live pups/litter ↓ live male pups/litter ↓ live female pups/litter
Tyl, et al., 2002b	SD rats 3-Generation Study F ₀ N=3 Male and female exposure Period: pre-mating through lactation Route: Diet Doses: 0, 0.001, 0.02, 0.3, 5, 50, 500 mg/kg-day	LOAEL: 500 mg/kg-day No mortality Clinical observations not statistically analyzed ↑ food intake during gestation ↓ postpartum body weight ↑ kidney, liver, brain weight ↓ ovary weight ↑ liver/kidney histopathology	LOAEL: 500 mg/kg-day ↓ live pups/litter ↓ pups/litter ↓ implantation sites ↓ pup body weight pnd 4, 7, 14, 21 LOAEL (F ₁ generation): 50 mg/kg-day ↑ age at vaginal opening ↑ age at preputial separation

Study	Design	Observations at the LOAEL	
		Maternal Toxicity	Developmental Toxicity
Tyl, 2008	CD-1 mice 2-Generation Study N=55 (control) 19-25 (BPA) Exposures: Period: pre mating through lactation Route: Diet Doses: 0, 0.003, 0.03, 0.3, 5, 50, 600 mg/kg-day	LOAEL: 600 mg/kg-day No mortality Clinical observations not analyzed statistically No reduced food intake No body weight effects ↑ liver and kidney weight; ↑ liver/kidney histopathology	LOAEL: 600 mg/kg-day ↓ pup body weight pnd 7, 14, 21 ↑ age at preputial separation
Tyl et al., 2002a	CD-1 mice, 1-Generation Study N=20 Exposure: Period: pre mating through birth Route: Diet Doses: 0, 875, 1750 mg/kg-day during gestation	LOAEL: 1750 mg/kg-day No mortality Clinical observations not analyzed statistically No reduced food intake (g/kg) ↓ postpartum body weight ↑ postpartum liver kidney weights ↑ gestation length ↑ liver, kidney histopathology	LOAEL: 1750 mg/kg-day ↓ live pups/litter, ↓ total pups/litter Significant trend test; no pairwise effects ↓ female pup weight
Tinwell, et al., 2002	SD and Wistar rats, male and female N=7 Exposure: Period: GD 6-21 Route: gavage Doses: 20, 100 µg/kg 50 mg/kg	LOAEL: 50 mg/kg-day No mortality Not reported: Body weight Liver/kidney weight Food intake Clinical observations Histopathology	LOAEL: 50 mg/kg-day No effects litter size, sex ratio, birth weight ↑ age at vaginal opening (Wistar)
Tan et al., 2003	SD rats, Male N=12 Exposure: Period days 23-53 postnatal Route: gavage Dose: 100 mg/kg	Not applicable	LOAEL: 100 mg/kg ↓ number with preputial separation by day 53

↑ = increase; ↓ = decrease; GD = gestation day; pnd = postnatal day; N = number of animals per exposure group; LOAEL = Lowest Observed Adverse Effect Level for maternal or developmental toxicity

In the table, statistically significant results are presented with the exception of clinical observations and histopathology incidence, which were not statistically analyzed. Organ weights are relative to body weight. Maternal weight effects are reported as corrected gestational weight/weight gain or postpartum weight (weights that do not include fetuses). For multigeneration studies, data are from the F₀ generation parents and offspring.

The above-described scientific evidence meets the criteria for listing specified in Section 25306(g)(2). In identifying clear evidence for “high” dose developmental toxicity of Bisphenol A, NTP identified the specific studies of individual endpoints of developmental toxicity that led to its overall conclusion. For all of the studies cited by NTP for decreases in litter size or number of live pups/litter in rats and mice, the exposures resulting in this manifestation of developmental toxicity were en-

tirely prenatal (Kim et al. 2001, Tyl et al. 2002b, Morrissey et al. 1987, Tyl et al. 2002a, NTP, 1985). This endpoint provides a clear basis for listing of Bisphenol A under Proposition 65.

Effects on growth were also identified at birth in some studies (Kim et al. 2001, Morrissey et al. 1987), and early during the postnatal period in others (Tyl et al. 2002b, Tyl et al. 2008). In addition, effects on age at onset of puberty were reported after prenatal exposure only in one study (Tinwell et al. 2002), as well as after perinatal (Tyl et al. 2002b, Tyl et al. 2008) or postnatal exposure (Tan et al. 2003) in others. The formal identification of Bisphenol A as causing developmental toxicity is therefore supported by sufficient evidence of adverse developmental effects resulting from exposure during the prenatal period, and is consistent with findings from studies involving exposure during the postnatal period.

Request for comments: OEHHA is requesting comments as to whether Bisphenol A meets the criteria set forth in the Proposition 65 regulations for authoritative bodies listings. In order to be considered, **OEHHA must receive comments by 5:00 p.m. on Monday, February 25, 2013.** We encourage you to submit comments via e-mail, rather than in paper form. Comments transmitted by e-mail should be addressed to P65Public.Comments@oehha.ca.gov with "NOIL-Bisphenol A" in the subject line. Hard copy comments may be mailed, faxed, or delivered in person to the addresses below:

Mailing Address: Ms. Cynthia Oshita
Office of Environmental
Health Hazard Assessment
P.O. Box 4010, MS-19B
Sacramento, California
95812-4010
Fax: (916) 323-8803
Street Address: 1001 I Street
Sacramento, California 95814

Comments received during the public comment period will be posted on the OEHHA web site after the close of the comment period.

If you have any questions, please contact Ms. Oshita at cynthia.oshita@oehha.ca.gov or at (916) 445-6900.

References

Kim JC, Shin HC, Cha SW, Koh WS, Chung MK, Han SS (2001) Evaluation of developmental toxicity in rats exposed to the environmental estrogen bisphenol A during pregnancy. *Life Sci.* 69: 2611-2625.

Morrissey RE, George JD, Price CJ, Tyl RW, Marr MC, Kimmel CA (1987) The Developmental Toxicity of bisphenol A in Rats and Mice. *Fundam Appl Toxicol.* 8: 571-582.

NTP-CERHR (2008). NTP-CERHR Monograph on the Potential Human Reproductive And Developmental Effects of Bisphenol A. Research Triangle Park, NC, National Toxicology Program: *NIH Publication No. 08-5994.*

NTP (1985) Bisphenol A: reproduction and fertility assessment in CD-1 mice when administered in the feed. NTP-85-192. Research Triangle Park, NC.

Tan BL, Kassim NM, Mohd MA (2003) Assessment of pubertal development in juvenile male rats after sub-acute exposure to bisphenol A and nonylphenol. *Toxicol Lett.* 143:261-270.

Tinwell H, Haseman J, Lefevre PA, Wallis N, Ashby J (2002) Normal sexual development of two strains of rat exposed *in utero* to low doses of bisphenol A. *Toxicol Sci.* 68:339-348.

Tyl RW, Myers CB, Marr MC, Sloan CS, Castillo NP, Veselica MM, Seely JC, Dimond SS, Van Miller JP, Shiotsuka RN, Beyer D, Hentges SG, Waechter JM, Jr. (2008) Two-generation reproductive toxicity study of dietary bisphenol A (Bisphenol A) in CD-1(R) (Swiss) mice. *Toxicol Sci.* 104:362-384.

Tyl R, Myers CB, Marr MC. Abbreviated one-generation study of dietary bisphenol A (Bisphenol A) in CD-1® (Swiss) mice (2002a). In. Research Triangle Park, NC: RTI (sponsored by the Society of the Plastics Industry, Inc.).

Tyl RW, Myers, CB, Marr MC, Thomas BF, Keimowitz AR, Brine DR, Veselica MM, Fail PA, Chang TY, Seely JC, Joiner RL, Butala JH, Dimond SS, Cagen SZ, Shiotsuka RN, Stropp GD, Waechter JM (2002b) Three-generation reproductive toxicity study of dietary bisphenol A in CD Sprague-Dawley rats. *Toxicol Sci.* 68:121-146.

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(PROPOSITION 65)**

**NOTICE TO INTERESTED PARTIES
PUBLIC WORKSHOP FOR THE NOTICE OF
INTENT TO LIST STYRENE BY THE LABOR
CODE MECHANISM**

JANUARY 25, 2013

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) has received a request from APTCO, LLC for a public workshop concerning OEHHA's intent to list styrene as a chemical known to cause cancer under

the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as Proposition 65).

The workshop will be held on **Thursday, February 14, 2013**, 10 a.m. to 12 p.m. at the California Environmental Protection Agency Headquarters Building, **Coastal Hearing Room**, at 1001 I Street, Sacramento, California. Discussions at the workshop should be limited to whether the National Toxicology Program (NTP) Report on Carcinogens has identified styrene as a human carcinogen or potential human carcinogen. OEHHA cannot consider scientific arguments concerning the weight or quality of the evidence considered by NTP.

The workshop will be webcast: The URL for the webcast (not active until the day and time of the meeting) is: <http://calepa.ca.gov/Broadcast/>.

In conjunction with this workshop, OEHHA will extend the public comment period until February 28, 2013. **OEHHA must receive comments by 5:00 p.m. on THURSDAY, FEBRUARY 28, 2013.** We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by e-mail should be addressed to P65Public.Comments@oehha.ca.gov, and should include "NOIL for styrene" in the subject line. Comments submitted in paper form may be mailed, faxed, or delivered in person to the address below:

Mailing Address: Ms. Cynthia Oshita
Office of Environmental Health
Hazard Assessment
P.O. Box 4010, MS-19B
Sacramento, California
95812-4010

Fax: (916) 323-8803

Street Address: 1001 I Street
Sacramento, California 95814

Any public comments received will be posted after the close of the comment period. If you have any questions, please contact Ms. Oshita at Cynthia.Oshita@oehha.ca.gov or at (916) 445-6900.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State,

Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

File# 2012-1127-01
BOARD OF BEHAVIORAL SCIENCES
Advertising, Supervision & Continuing Education

This regulatory action, pursuant to AB 56 (Chapter 166, Statutes of 2011), makes some revisions to requirements for advertising by those regulated by the Board. It adds new requirements for interns for Marriage and Family Therapists and Professional Clinical Counselors. It also adds a requirement requiring two years of licensure prior to providing supervision of an associate clinical social worker.

Title 16
California Code of Regulations
AMEND: 1811, 1870, 1887.3
Filed 01/09/2013
Effective 04/01/2013
Agency Contact: Rosanne Helms (916) 574-7897

File# 2012-1130-01
BOARD OF EQUALIZATION
Board-Prescribed Exemption Forms

This rulemaking action amends sections 101, 171, 252 and 1045 of Title 18 of the California Code of Regulations. These amendments clarify that county assessors are required to use Board-prescribed property tax forms. These amendments further clarify the procedures county assessors must follow to make changes to the forms and when it is permissible for them to develop and use their own forms. This rulemaking also encourages county assessors to develop uniform forms throughout the state and to make their property tax forms available on their websites. Section 252 is also amended to reflect that county assessors cannot post the home address and telephone number of appointed or elected officials.

Title 18
California Code of Regulations
AMEND: 101, 171, 252, 1045
Filed 01/14/2013
Effective 04/01/2013
Agency Contact:
Richard E. Bennion (916) 445-2130

File# 2012-1211-02
BOARD OF OPTOMETRY
Consumer Information

This change without regulatory effect by the Board of Optometry amends section 1566.1, of Title 16, of the California Code of Regulations to update the address of the Board.

Title 16
California Code of Regulations
AMEND: 1566.1
Filed 01/14/2013
Agency Contact: Andrea Leiva (916) 575-7182

File# 2012-1130-04
COMMISSION ON TEACHER CREDENTIALING
Education Specialist Credentials for Out-of-State and
Out-of-Country Prepared Teachers

The Commission on Teacher Credentialing amended section 80048.3.1 of title 5 of the California Code of Regulations to revise the requirements for an Education Specialist Instruction Credential for out-of-state credentialed teachers and adopt a new section 80048.3.2 to establish the requirements for an Education Specialist Instruction Credential for out-of-country credentialed teachers.

Title 5
California Code of Regulations
ADOPT: 80048.3.2 AMEND: 80048.3.1
Filed 01/14/2013
Effective 04/01/2013
Agency Contact:
Tammy A. Duggan (916) 323-5354

File# 2012-1231-01
DEPARTMENT OF CORRECTIONS AND
REHABILITATION
Urinalysis Testing Pilot Program

This action amends the pilot program for the Urinalysis Testing Program to detect the presence of prohibited substances used by parolees and respond to positive tests with sanctions and/or interventions. This pilot program is exempt from the requirements of the Administrative Procedure Act pursuant to Penal Code section 5058.1.

Title 15
California Code of Regulations
AMEND: 3999.14
Filed 01/15/2013
Effective 01/15/2013
Agency Contact:
Timothy M. Lockwood (916) 445-2212

File# 2012-1129-01
DEPARTMENT OF INSURANCE
Amend the CAARP and LCA Plan of Operations

The Department of Insurance submitted this action pursuant to title 1, California Code of Regulations, section 100 to make various amendments to the text and forms related to the California Automobile Assigned Risk Plan Plan of Operations and the California Low

Cost Automobile Insurance Program Plan of Operations. These plans are incorporated by reference in title 10, California Code of Regulations, sections 2498.4.9 and 2498.6, respectively. The action amends two rules in the California Automobile Assigned Risk Plan Manual, which is incorporated by reference in title 10, California Code of Regulations, section 2498.5.

Title 10
California Code of Regulations
AMEND: 2498.4.9, 2498.5, 2498.6
Filed 01/11/2013
Agency Contact: Mike Riordan (415) 538-4226

File# 2012-1129-03
DEPARTMENT OF PUBLIC HEALTH
Licensing Fees and Emergency Generators

These changes without regulatory effect amend provisions of Title 22 of the California Code of Regulations to conform to changes to Health and Safety Code sections 1266 and 41514.1 regarding health care facility license fees and the testing of diesel-powered emergency lighting and power systems in certain health care facilities, among other non-substantive changes.

Title 22
California Code of Regulations
AMEND: 70110, 70215, 70841, 71110, 71645, 72203, 72641, 73208, 73639, 74108, 74669, 76211, 76525, 76555, 76651, 76846, 76915, 78437 REPEAL: 70111, 70114, 71111, 73209, 74109
Filed 01/09/2013
Agency Contact: Elizabeth Reyes (916) 445-2529

File# 2012-1211-01
DEPARTMENT OF SOCIAL SERVICES
CalWORKs Earned Income Disregards for
Determining Eligibility

This Certificate of Compliance amends the Earned Income Disregard for the California Work Opportunity and Responsibility to Kids (CalWORKS) program in accordance with SB 72 (Chapter 8, Statutes of 2011).

Title MPP
California Code of Regulations
AMEND: 40-105.4(g)(1), 44-111.23, 44-113.2, 44-113.54(QR), 44-315.39(QR), 89-201.513
Filed 01/14/2013
Effective 01/14/2013
Agency Contact: Zaid Dominguez (916) 657-2586

File# 2012-1224-02
DEPARTMENT OF SOCIAL SERVICES
CalWORKs 48-Month Time Limit, Good Cause Exemption and Short Term Change

This Certificate of Compliance extends exemptions and policies for finding good cause for the California

Work Opportunity and Responsibility to Kids (CalWORKS) program for one additional year. (Previous OAL file #2012-0619-03EFP)

Title MPP
 California Code of Regulations
 AMEND: 40-107, 42-301, 42-302, 42-431, 42-712, 42-713, 42-721, 44-133, 44-307, 44-316, 82-833
 Filed 01/16/2013
 Effective 01/16/2013
 Agency Contact: Zaid Dominguez (916) 657-2586

File# 2012-1219-12
FAIR POLITICAL PRACTICES COMMISSION
 Online SEI Regulation

In this regulatory action, the Fair Political Practices Commission (Commission) adopts a regulation setting forth the certification and other requirements relating to electronic filing systems proposed by agencies for the electronic filing of Statements of Economic Interests. This regulation implements Government Code section 87500.2 as contained in Statutes 2012, Chapter 500, A.B. 2062, which provided for electronic filing of Statements of Economic Interests by agencies in accordance with regulations adopted by the Commission.

Title 2
 California Code of Regulations
 ADOPT: 18756
 Filed 01/09/2013
 Effective 02/08/2013
 Agency Contact:
 Virginia Latteri-Lopez (916) 322-5660

File# 2012-1203-01
PHYSICAL THERAPY BOARD OF CALIFORNIA
 Sponsored Health Care Events

AB 2699, Chapter 270, Statutes of 2010, added section 901 to the Business and Professions Code. It allows health care practitioners licensed or certified and in good standing in other states, districts, or territories to practice in California without California licensure, on a short-term (10 days or less) and voluntary basis, at sponsored health care events where health care services are provided at no cost to uninsured or underinsured persons. Each participating healing arts board in California needs to adopt regulations to establish the specifics of its exemption from licensure so that out-of-state practitioners can practice at these sponsored events. The Physical Therapy Board of California (PTBC) is adopting regulations to implement section 901 of the Business and Professions Code, setting forth their processes and requirements for authorizing out-of-state practitioners (using a Form 901-B, with a fee

of \$50) to register with health event sponsoring entities (using a Form 901-A). The regulations also include definitions, recordkeeping and reporting requirements and provisions on the termination of out-of-state practitioner authorizations.

Title 16
 California Code of Regulations
 ADOPT: 1399.99.1, 1399.99.2, 1399.99.3, 1399.99.4
 Filed 01/15/2013
 Effective 04/01/2013
 Agency Contact: Jason Kaiser (916) 561-8278

File# 2012-1129-02
PHYSICIAN ASSISTANT COMMITTEE
 Requirements for Preceptors

This rulemaking action by the Physician Assistant Committee amends section 1399.536 of title 16 of the California Code of Regulations. This amendment allows a variety of licensed health care providers to supplement physicians as preceptors, or supervisors, of physician assistant students during their training, permits preceptors to supervise more than one student at a time, and deletes outdated fee information.

Title 16
 California Code of Regulations
 AMEND: 1399.536
 Filed 01/10/2013
 Effective 04/01/2013
 Agency Contact: Glenn L. Mitchell (916) 561-8783

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN August 22, 2012 TO
 January 16, 2012**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

- Title 1**
 11/13/12 AMEND: 1, Appendix A
- Title 2**
 01/09/13 ADOPT: 18756
 01/08/13 AMEND: 18723, 18730
 01/07/13 AMEND: 18545, 18703.4, 18940.2
 01/07/13 AMEND: 18705.5
 01/02/13 AMEND: 22500, 22501, 22502, 22503, 22505, 22506, 22508, 22509 REPEAL:

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 4-Z

22504, 22507, 22510, 22511, 22512,
22513, 22514, 22515, 22516, 22517,
22518, 22519

12/31/12 ADOPT: 1859.97 AMEND: 1859.2,
1859.90.2

12/28/12 AMEND: 18410, 18425, 18435,
18465.1, 18550 REPEAL: 18539

12/27/12 AMEND: 649.7

12/26/12 ADOPT: 7294.0, 7294.2 AMEND:
7293.5, 7293.6, 7293.7, 7293.8, 7293.9,
7294.0 (renumbered to 7294.1),
7294.1(renumbered to 7294.3), 7294.2
(renumbered to 7294.4)

12/24/12 REPEAL: 60020, 60025, 60030, 60040,
60045, 60050, 60055, 60100, 60110,
60200

12/11/12 AMEND: 649.15

12/06/12 AMEND: 1859.2, 1859.90.2

11/30/12 ADOPT: 7291.4, 7291.7, 7291.14,
7291.18 AMEND: 7291.2, 7291.3,
7291.4 and renumber 7291.5, 7291.5 and
renumber 7291.6, 7291.6 and renumber
7291.8, 7291.7 and renumber 7291.9,
7291.9 and renumber 7291.10, 7291.10
and renumber 7291.17, 7291.11,
7291.12, 7291.13, 7291.15, 7291.16
REPEAL: 7291.8, 7291.14

11/29/12 ADOPT: 558.1

11/28/12 AMEND: 54100

11/09/12 ADOPT: 599.945.4 AMEND: Article
27.5 heading

11/08/12 AMEND: 18723

11/06/12 REPEAL: 56600

11/06/12 REPEAL: 52000

11/06/12 REPEAL: 52300

11/01/12 ADOPT: 1859.95.1 AMEND: 1859.2,
1859.95

10/23/12 AMEND: 1859.2, 1859.71.6, 1859.77.4,
1859.107, 1859.193, 1859.194, 1859.197

10/22/12 ADOPT: 599.944, 599.946, 599.947

10/18/12 AMEND: 1575

10/18/12 ADOPT: 577, 578

10/17/12 AMEND: 20804

10/03/12 ADOPT: 18730.1

10/02/12 AMEND: 1859.2, 1859.71.4, 1859.78.1,
1859.79.2, 1859.82, 1859.83, 1859.106,
1859.125, 1859.125.1, 1859.145,
1859.163.1, 1859.163.5, 1859.193

09/20/12 ADOPT: 59730

09/19/12 AMEND: 1155.250, 1155.350

09/14/12 REPEAL: 52100

09/10/12 ADOPT: 59650

08/30/12 AMEND: 60000, 60010, 60300, 60310,
60323, 60325, 60330, 60400, 60550,

60560, 60600, 60610 REPEAL: 60020,
60025, 60030, 60040, 60045, 60050,
60055, 60100, 60110, 60200

Title 3

11/15/12 AMEND: 3435(b)

10/29/12 ADOPT: 1352.4 AMEND: 1351, 1358.4

10/23/12 ADOPT: 3639

10/23/12 ADOPT: 3439

09/21/12 AMEND: 3437(b) and (c)

09/18/12 AMEND: 6449.1, 6486.7

09/12/12 AMEND: 3700(c)

09/12/12 AMEND: 3435(b)

08/24/12 AMEND: 3406(b)

08/22/12 AMEND: 6800(b)

Title 4

01/08/13 ADOPT: 5205 AMEND: 5000, 5054,
5144, 5170, 5190, 5200, 5230, 5350,
5370 REPEAL: 5133

12/21/12 ADOPT: 5342, 5343, 5344, 5345, 5346,
5347, 5348

12/13/12 AMEND: 12391(a)(2)

12/03/12 AMEND: 10032, 10033, 10034, 10035

11/27/12 ADOPT: 4305, 4309 AMEND: 4300,
4302, 4304, 4306, 4307, 4308

10/30/12 AMEND: 5000, 5052

10/29/12 ADOPT: 10050, 10051, 10052, 10053,
10054, 10055, 10056, 10057, 10058,
10059, 10060

10/17/12 AMEND: 1656

10/16/12 ADOPT: 1581.2

10/10/12 AMEND: 1867

09/27/12 AMEND: 5000, 5170, 5200, 5230, 5370,
5500, 5540

09/12/12 ADOPT: 12391(a)(1), (3), (4), (b) & (c),
12392 AMEND: 12360

09/04/12 AMEND: 10032, 10033, 10034, 10035

08/30/12 ADOPT: 1489.1

08/29/12 ADOPT: 5205 AMEND: 5000, 5054,
5144, 5190, 5200, 5230, 5370, 5170,
5350 REPEAL: 5133

Title 5

01/14/13 ADOPT: 80048.3.2 AMEND: 80048.3.1

12/27/12 AMEND: 58108

12/27/12 AMEND: 55000, 55023, 55040, 55041,
55043, 58161, 58162, 58166 REPEAL:
55030

12/24/12 ADOPT: 18224.6, 18227, 18227.1
AMEND: 18078, 18409, 18411, 18424,
18426

12/18/12 AMEND: 76120

12/13/12 AMEND: 40601

11/01/12 AMEND: 18407, 18422

CALIFORNIA REGULATORY NOTICE REGISTER 2013, VOLUME NO. 4-Z

10/31/12	ADOPT: 620, 621, 622, 623, 624, 625, 626, 627	10252.1, 10253.1, 10270, 10271, 10273, 10290, 10291, 10293, 10294.5, 10297
09/27/12	ADOPT: 620, 621, 622, 623, 624, 625, 626, 627	10/31/12 ADOPT: 6625.1 AMEND: 6505
09/27/12	AMEND: 3000, 3010, 3021, 3021.1, 3022, 3023, 3024, 3025, 3027, 3028, 3042, 3051.4, 3051.75, 3051.8, 3051.9, 3051.12, 3051.13, 3051.17, 3051.18, 3052, 3053, 3062, 3063, 3064, 3066, 3067, 3069, 3080, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3088.1, 3088.2, 3089, 3090, 3091, 3092, 3093, 3094, 3096, 3096.1, 3096.2, 3097, 3098, 3098.1, 3098.2, 3099, 3100	10/23/12 AMEND: 1593, 3650
09/06/12	AMEND: 1216.1	10/18/12 AMEND: 6325
Title 8		10/02/12 ADOPT: 1613.11, 1613.12 AMEND: 1600, 1610.1, 1610.3, 1610.4, 1610.9, 1611.1, 1612.3, 1613, 1613.2, 1613.10, 1616.1, 1617.1, 1617.2, 1617.3, 1618.1, 1619.1, 4885, 4999
12/31/12	ADOPT: 10206, 10206.1, 10206.2, 10206.3, 10206.4, 10206.5, 10206.14, 10206.15, 10207, 10208 AMEND: 10205, 10205.12	10/02/12 AMEND: 4297
12/31/12	ADOPT: 15209 AMEND: 15201, 15210, 15210.1, 15475, 15477, 15481, 15484, 15496, 15497	09/25/12 AMEND: 2950, 3420, 3421, 3422, 3423, 3424, 3425, 3426, 3427 REPEAL: 3428
12/31/12	ADOPT: 9792.5.4, 9792.5.5, 9792.5.6, 9792.5.7, 9792.5.8, 9792.5.9, 9792.5.10, 9792.5.11, 9792.5.12, 9792.5.13, 9792.5.14, 9792.5.15 AMEND: 9792.5.1, 9792.5.3, 9793, 9794, 9795	09/05/12 AMEND: 1512, 2320.10, 2940.10
12/31/12	ADOPT: 37, 10159 AMEND: 1, 11, 11.5, 14, 17, 30, 31.2, 31.7, 33, 35, 35.5, 36, 38, 100, 105, 106, 10160	09/04/12 AMEND: 5189, 5192(a)(3), 5198(j)(2)(D)2., 1532.1(j)(2)(D)2.
12/31/12	ADOPT: 9785.5, 9792.6.1, 9792.9.1, 9792.10.1, 9792.10.2, 9792.10.3, 9792.10.4, 9792.10.5, 9792.10.6, 9792.10.7, 9792.10.8, 9792.10.9 AMEND: 9785, 9792.6, 9792.9, 9792.10, 9792.12	Title 10
12/27/12	ADOPT: 9789.25 AMEND: 9789.20, 9789.21, 9789.22	01/11/13 AMEND: 2498.4.9, 2498.5, 2498.6
12/27/12	ADOPT: 9789.39 AMEND: 9789.30, 9789.31, 9789.32, 9789.33, 9789.36, 9789.37, 9789.38	12/31/12 AMEND: 2695.8(f), 2695.8(g)
12/27/12	AMEND: 9795.1, 9795.3	12/19/12 ADOPT: 2523, 2523.1, 2523.2, 2523.3, 2523.4, 2523.5, 2523.6
12/20/12	ADOPT: 10133.31, 10133.32, 10133.33, 10133.34, 10133.35, 10133.36 AMEND: 9813.1, 10116.9, 10117, 10118, 10133.53, 10133.55, 10133.57, 10133.58, 10133.60 REPEAL: 10133.51, 10133.52	12/17/12 AMEND: 2248.14
12/10/12	AMEND: 10210, 10211, 10212, 10214, 10215, 10216, 10217, 10218, 10222, 10223, 10225, 10228, 10229, 10232, 10232.1, 10232.2, 10245, 10250.1,	12/11/12 AMEND: 3780
		11/19/12 AMEND: 2698.401
		11/13/12 AMEND: 2498.4.9
		08/30/12 AMEND: 2468.5
		08/27/12 AMEND: 260.204.9
		08/22/12 ADOPT: 2327, 2327.1, 2327.2
		Title 11
		12/12/12 AMEND: 1081
		11/26/12 AMEND: 1001, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1018, 1019, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1060, 1070, 1071, 1080, 1081, 1082, 1083, 1084, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960
		11/15/12 AMEND: 1005, 1007, 1008
		11/15/12 AMEND: 1005
		09/18/12 AMEND: 410, 411, 415, 416, 417, 420, 421, 425 REPEAL: 419, 419.1
		Title 13
		01/07/13 AMEND: 553.70
		12/31/12 AMEND: 1900, 1956.8, 1960.1, 1961, 1961.2, 1961.3, 1962.1, 1962.2, 1976
		12/11/12 AMEND: 2403, 2404, 2407, 2412, 2421, 2423, 2424, 2425, 2425.1, 2426, 2427, 2433, 2447, 2783, 2784
		12/10/12 AMEND: 423.00
		11/13/12 AMEND: 1200, 1239

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11/06/12 ADOPT: 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218
 10/15/12 ADOPT: 2477.1, 2477.2, 2477.3, 2477.4, 2477.5, 2477.6, 2477.7, 2477.8, 2477.9, 2477.10, 2477.11, 2477.12, 2477.13, 2477.14, 2477.15, 2477.16, 2477.17, 2477.18, 2477.19, 2477.20, 2477.21
 AMEND: 2477
 10/09/12 AMEND: 2260, 2261, 2264, 2265, 2265.1, 2266, 2266.5, 2271 REPEAL: 2258
 09/25/12 AMEND: 156.00, 156.01
 09/14/12 AMEND: 2479

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09/14/12 AMEND: 2299.2, 93118.2

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01/08/13 AMEND: 27.65, 28.30
 12/27/12 ADOPT: 1.45, 5.91 AMEND: 1.77, 2.25, 2.30, 4.20, 5.00, 5.05, 5.10, 5.40, 5.60, 5.80, 5.81, 7.00, 7.50, 8.00, 27.85, 27.90, 27.91, 28.90, 28.95, 701
 12/20/12 AMEND: 703
 11/19/12 AMEND: 632
 11/07/12 AMEND: 701
 11/06/12 ADOPT: 1052.5 AMEND: 895, 916.9, 1052, 1052.1, 1052.2
 11/02/12 AMEND: 163, 164
 10/29/12 AMEND: 18660.5, 18660.6, 18660.7, 18660.8, 18660.9, 18660.10, 18660.11, 18660.12, 18660.13, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.20, 18660.21, 18660.22, 18660.30, 18660.31, 18660.32, 18660.33, 18660.34, 18660.35, 18660.36, 18660.37, 18660.38, 18660.39, 18660.41, 18660.43
 10/18/12 ADOPT: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8
 10/03/12 AMEND: 300
 10/02/12 AMEND: 632
 09/27/12 ADOPT: 1667.1, 1667.2, 1667.3, 1667.4, 1667.5, 1667.6
 09/25/12 AMEND: 18660.40
 09/21/12 AMEND: 502
 09/12/12 AMEND: 18660.17, 18660.19, 18660.31
 09/07/12 AMEND: 300
 08/31/12 ADOPT: 671.8 AMEND: 671.1

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01/15/13 AMEND: 3999.14
 12/20/12 ADOPT: 3079, 3079.1 AMEND: 3000, 3075.2, 3075.3
 10/25/12 ADOPT: 3999.14
 10/22/12 AMEND: 3019, 3044, 3091, 3120
 10/18/12 ADOPT: 3999.13

10/17/12 ADOPT: 3375.6 AMEND: 3000, 3375
 10/04/12 ADOPT: 3352.3 AMEND: 3350.1, 3352, 3352.1, 3352.2, 3354, 3354.2, 3355.1, 3358
 09/25/12 ADOPT: 1712.1, 1714.1, 1730.1, 1740.1, 1748.5 AMEND: 1700, 1706, 1712, 1714, 1730, 1731, 1740, 1747, 1747.1, 1747.5, 1748, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788 REPEAL: 1757
 09/13/12 AMEND: 3162
 09/13/12 ADOPT: 3078, 3078.1, 3078.2, 3078.3, 3078.4, 3078.5, 3078.6 AMEND: 3000, 3043, 3075.2, 3097, 3195, 3320, 3323
 08/29/12 AMEND: 2606, 2635.1, 2646.1, 2733, 2740, 2743, 2744

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01/15/13 ADOPT: 1399.99.1, 1399.99.2, 1399.99.3, 1399.99.4
 01/14/13 AMEND: 1566.1
 01/10/13 AMEND: 1399.536
 01/09/13 AMEND: 1811, 1870, 1887.3
 12/18/12 ADOPT: 37.5
 12/13/12 AMEND: 2615, 2620
 11/29/12 AMEND: 2524, 2579.10
 11/27/12 ADOPT: 1495, 1495.1, 1495.2, 1495.3, 1495.4
 11/14/12 ADOPT: 1139, 1140, 1141, 1142, 1143, 1144
 11/13/12 ADOPT: 2333
 11/07/12 ADOPT: 1023.15, 1023.16, 1023.17, 1023.18, 1023.19
 10/31/12 AMEND: 1425
 10/29/12 ADOPT: 1065
 10/25/12 ADOPT: 2.8, 11, 11.1 AMEND: 9.2
 09/25/12 AMEND: 1514, 1525.1
 09/25/12 AMEND: 3340.15, 3394.6
 09/12/12 AMEND: 961 REPEAL: 933
 09/10/12 ADOPT: 4116, 4117, 4118, 4119
 09/07/12 AMEND: 4
 08/30/12 ADOPT: 2557, 2557.1, 2557.2, 2557.3, 2595, 2595.1, 2595.2, 2595.3
 08/29/12 ADOPT: 4146, 4148, 4149, 4149.1 AMEND: 4100, 4101

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01/03/13 AMEND: 2641.56
 12/19/12 ADOPT: 95158 AMEND: 95101, 95102, 95103, 95104, 95105, 95111, 95112, 95113, 95114, 95115, 95119, 95120, 95121, 95122, 95123, 95130, 95131, 95132, 95133, 95150, 95151, 95152, 95153, 95154, 95155, 95156, 95157, 95202, 95802
 12/06/12 AMEND: 95920

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11/26/12	ADOPT: 95480.2, 95480.3, 95480.4, 95480.5 AMEND: 95480.1, 95481, 95482, 95484, 95485, 95486, 95488, 95490	69010, 69011, 69012, 69013, 69200, 69201, 69202, 69203, 69204, 69205, 69206, 69207, 69208, 69209, 69210, 69211, 69212, 69213, 69214
11/14/12	AMEND: 6508	12/10/12 AMEND: 926-3, 926-4, 926-5
11/02/12	AMEND: 100500	11/13/12 ADOPT: 2707.2-1 AMEND: 3302-1
10/30/12	AMEND: 100060, 100070	10/25/12 AMEND: 97005, 97019, 97041, 97052, 97053, 97054
10/03/12	AMEND: 95201, 95202, 95203, 95204, 95205	10/18/12 AMEND: 97240
09/04/12	ADOPT: 30305.1, 30308.1, 30311.1	10/15/12 ADOPT: 66273.80, 66273.81, 66273.82, 66273.83, 66273.84, 66273.90, 66273.91, 66273.100, 66273.101
08/30/12	AMEND: 95802, 95812, 95814, 95830, 95831, 95832, 95833, 95834, 95856, 95870, 95892, 95910, 95911, 95912, 95913, 95914, 95920, 95021	AMEND: 66261.4, 66273.6, 66273.7, 66273.9, 66273.70, 66273.72, 66273.73, 66273.74, 66273.75
08/29/12	AMEND: 100800	09/06/12 ADOPT: 66269.2
Title 18		Title 23
01/14/13	AMEND: 101, 171, 252, 1045	12/17/12 ADOPT: 3949.9
01/08/13	REPEAL: 2558, 2558.1, 2559, 2559.1, 2559.3, 2559.5	12/06/12 ADOPT: 3979.5
12/18/12	ADOPT: 19089	11/14/12 AMEND: 1062, 1064, 1068
12/04/12	ADOPT: 2000	11/13/12 ADOPT: 2924
10/23/12	AMEND: 313, 321	11/13/12 ADOPT: 3969.3
Title 19		09/06/12 ADOPT: 3959.5
12/17/12	AMEND: 2570.1, 2570.2, 2571, 2572.1, 2572.2, 2573.1, 2573.2, 2573.3	Title 25
Title 20		10/10/12 AMEND: 8201, 8205, 8212
10/26/12	AMEND: 1601, 1602, 1604, 1605.1, 1605.3, 1606, 1607	Title 27
Title 21		12/17/12 AMEND: 25705
12/24/12	ADOPT: 2653, 2654, 2655, 2656, 2657, 2658	11/19/12 AMEND: 25903
08/28/12	AMEND: 6640, 6680	10/10/12 AMEND: 25707
Title 22		09/20/12 AMEND: 25705(b)
01/09/13	AMEND: 70110, 70215, 70841, 71110, 71645, 72203, 72641, 73208, 73639, 74108, 74669, 76211, 76525, 76555, 76651, 76846, 76915, 78437 REPEAL: 70111, 70114, 71111, 73209, 74109	09/12/12 AMEND: 25403(a), 25603.3(a)
01/07/13	AMEND: 66260.10, 66264.550, 66264.551, 66264.552, 66264.552.5, 66264.553, 67100.13, 67383.3, 67390.2, 67391.1, 67401.1, 67401.2, 67401.3, 67401.4, 67401.5, 67401.6, 67401.7, 67401.8, 67401.9, 67401.10, 67401.11, 67401.12, 67401.13 REPEAL: 69000, 69000.5, 69001, 69002, 69003, 69004, 69005, 69006, 69007, 69008, 69009,	Title 28
		09/06/12 ADOPT: 1300.74.73
		Title MPP
		01/16/13 AMEND: 40-107, 42-301, 42-302, 42-431, 42-712, 42-713, 42-721, 44-133, 44-307, 44-316, 82-833
		01/14/13 AMEND: 40-105.4(g)(1), 44-111.23, 44-113.2, 44-113.54(QR), 44-315.39(QR), 89-201.513
		11/29/12 AMEND: 41-440, 42-716, 42-717, 44-207
		11/19/12 AMEND: 31-003, 31-021, 31-501
		11/01/12 AMEND: 42-213, 44-211
		10/10/12 AMEND: 25707
		09/20/12 AMEND: 25705(b)
		09/12/12 AMEND: 25403(a), 25603.3(a)