



California Regulatory Notice Register

REGISTER 2015, NO. 15-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

APRIL 10, 2015

PROPOSED ACTION ON REGULATIONS

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

Conflict-of-Interest Code — Notice File No. Z2015-0330-01 573
Amendment

Multi-County: Peninsula Corridor Joint Powers Board
Patterson Joint Unified School District

TITLE 16. BOARD OF ACCOUNTANCY

Fees — Notice File No. Z2015-0330-03 574

TITLE 16. BOARD OF OCCUPATIONAL THERAPY

Ethical Standards of Practice — Notice File No. Z2015-0330-02 578

TITLE 22. OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT

Patient Data Transmission Standards — Notice File No. Z2015-0326-01 579

GENERAL PUBLIC INTEREST

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

Notice of Extension of Public Comment Period — Styrene 582

DISAPPROVAL DECISION

DENTAL HYGIENE COMMITTEE OF CALIFORNIA

Remedial Education 583

(Continued on next page)

*Time-
Dated
Material*

SUMMARY OF REGULATORY ACTIONS

Regulations filed with the Secretary of State	584
Sections Filed, October 29, 2014 to April 1, 2015	586

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.

CALIFORNIA REGULATORY NOTICE REGISTER (USPS 002-931), (ISSN 1041-2654) is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$205.00 (annual price). To order or make changes to current subscriptions, please call (800) 888-3600. "Periodicals Postage Paid in Saint Paul, MN." **POSTMASTER:** Send address changes to the: CALIFORNIA REGULATORY NOTICE REGISTER, Barclays, a subsidiary of West, a Thomson Reuters Business, P.O. Box 2006, San Francisco, CA 94126. The Register can also be accessed at <http://www.oal.ca.gov>.

PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (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

AMENDMENT

MULTI-COUNTY: Peninsula Corridor Joint Powers Board
Patterson Joint Unified School District

A written comment period has been established commencing on April 10, 2015, and closing on **May 25, 2015**. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 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 her review, unless any interested person or his/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.

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 **May 25, 2015**. 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 Ivy Branaman, 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 Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

TITLE 16. BOARD OF ACCOUNTANCY

NOTICE IS HEREBY GIVEN that the California Board of Accountancy (CBA) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

**The Hilton Los Angeles Airport
5711 West Century Boulevard
Los Angeles, CA 90045
Thursday, May 28, 2015
1:30 p.m.**

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the CBA at its office not later than 5:00 p.m. on May 25, 2015 or must be received by the CBA at the hearing. The CBA, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Sections 5010 and 5134 of the Business and Professions Code (BPC), and to implement, interpret or make specific Section 5134 of said Code, the CBA is considering changes to Division 1 of Title 16 of Section 70 of the California Code of Regulations as follows:

**INFORMATIVE DIGEST/POLICY STATEMENT
OVERVIEW**

The CBA regulates approximately 97,000 licensees, consisting of 91,500 certified public accountants, 5,500 accounting firms (partnerships and corporations) and 270 out-of-state registered accounting firms. The CBA’s highest priority is the protection of the public when exercising its licensing, regulatory and disciplinary functions. The primary methods by which the CBA achieves these goals is ensuring only qualified licensees practice public accountancy in accordance with estab-

lished professional standards, investigating complaints against licensees, and disciplining licensees for violations of BPC sections 5100 (et seq.).

Existing law, BPC section 5134, authorizes the CBA to charge various fees, including: application for the certified public accountant examination and reexamination; an initial permit fee for issuance of a partnership, corporation, or certified public accountant certificate; an application fee for registration as a partnership or corporation; and for the biennial renewal fee. The fees for biennial renewal and initial permit are currently set at \$50, with an automatic increase to \$120 scheduled to occur on July 1, 2016 pursuant to Title 16, California Code of Regulations section 70. This proposal would restore the biennial renewal and initial permit fees to \$200, a level that existed prior to fiscal year (FY) 2011–12. All remaining fees would be maintained at their existing level. Through this rulemaking, the CBA will ensure sufficient resources to maintain current board operations and help ensure the CBA maintains sufficient reserves to meet its mandate of consumer protection going forward.

The CBA proposes to amend California Code of Regulations, Title 16, Section 70, regarding fees, as follows:

- Amend Section 70(a)(1) to delete the date of June 30, 2016 resulting in the continuation of the current fees of \$50 for the issuance of the Authorization to Test to first-time applicants and \$25 for issuance of the Authorization to Test to repeat applicants.
- Repeal Section 70(a)(2), which contains authority to increase fees to \$100 and \$50 on July 1, 2016 for the issuance of the Authorization to Test to first-time applicants and issuance of the Authorization to Test to repeat applicants; this would allow the CBA to retain fees as established in Section 70(a)(1).
- Amend Section 70(b)(1) to delete the date of June 30, 2016 resulting in the continuation of the current fee of \$50 for the issuance of a certified public accountant certificate.
- Repeal Section 70(b)(2), which contains authority to increase fees to \$250 on July 1, 2016 for issuance of a certified public accountant certificate; this would allow CBA to retain fees as established in Section 70(b)(1).
- Amend Section 70(c)(1) to delete the date of June 30, 2016 resulting in the continuation of the current fee of \$30 for the application fee for registration as a partnership or as a corporation,

including registration under a new name as a partnership or as a corporation.

- Repeal Section 70(c)(2), which contains authority to increase fees to \$150 on July 1, 2016 for issuance of a registration for a partnership or as a corporation, (including registration under a new name); this would allow CBA to retain fees as established in Section 70(c)(1).
- Amend Section 70(d)(2) to restore the fee to \$200 from \$120 for the initial permit to practice as a partnership, a corporation, or a certified public accountant and eliminate the requirement to consider Section 70(j) in calculating the fee, commencing July 1, 2016.
- Repeal Section 70(e)(1) to remove the word “reserved”.
- Amend Section 70(e)(2) and renumber to 70(e)(1).
- Amend Section 70(e)(3) by renumbering to 70(e)(2) to restore the fee from \$120 to \$200 for renewal of a permit to a practice as partnership, a corporation, a public accountant, or a certified public accountant and eliminate the requirement to consider Section 70(j) in calculating the fee.
- Repeal Section 70(j), which currently requires the CBA to conduct a review of its actual and estimated costs by May 31, 2015 and determine the appropriate level of fees for the initial permit to practice and renewal of the permit to practice in order to maintain a contingent fund reserve balance equal to 3 months’ estimated annual authorized expenditures. If the CBA currently determines that fees of less than \$120 are indicated, the CBA shall fix the fees by regulation by July 1, 2016.

The CBA is proposing these changes to restore initial permit and license renewal fees to levels that were in place prior to fiscal year (FY) 2011–12 and following two temporary fee reductions. The restoration is necessary to address the CBA’s present negative cash flow, bring revenues more closely in line with expenditures, and increase the CBA’s Reserve levels to ensure the CBA has sufficient funds to meet its mandate of consumer protection.

ANTICIPATED BENEFITS

According to the CBA’s fund condition for fiscal year 2014–15, the CBA is projecting a fund balance of \$6 million or 5.5 MIR, a decline of revenue of over \$8 million dollars. For FY 2015–16, the CBA is projected to have a fund balance of approximately \$4 million or 3.2 MIR. If no fee changes are made, the fund balance and MIR levels will continue to lower in future years. With-

out changes to the current fee levels, including the projected current increases that will become effective July 1, 2016, the CBA will have insufficient funding to enable the CBA to continue operations. During the most recent meetings with the Legislature in 2015 for the CBA’s Sunset Review, concern was expressed over the CBA’s low reserve.

If approved as proposed this fee increase will have a positive effect on the CBA’s Reserve. Specifically, according to the CBA’s Fund Condition Statement, the CBA’s revenues will increase more than \$9 million per fiscal year. Beginning in FY 2017–18, the CBA is projected to have an approximate 14 MIR level. Further, the projected revenues appear to be close to projected expenditures, bringing the CBA’s fees to a stable level.

Also strengthening the justification for restoring the CBA’s Reserve is the need to have sufficient resources available should the CBA need to exercise its emergency contingency funding for \$2 million dollars to address enforcement costs and litigation expenses, pursuant to BPC section 5025.2. Given the volume of enforcement cases and the complex and sensitive nature of the CBA’s investigations, it is critical that this funding be available at all times. Additionally, if the CBA does not have sufficient reserves and exceeds its contingency funding, the CBA’s enforcement program would suffer from reductions in resources which would delay processing consumer complaints, conducting investigations, and referring egregious cases to the Attorney General’s Office for prosecution. These types of delays would ultimately prevent the CBA from efficiently and effectively protecting the public.

The revenue generated from these fees is placed in the Accountancy Fund and is utilized by the CBA to carry out its responsibilities as required by the Accountancy Act.

Consistency and Compatibility with Existing State Regulations

During the process of developing these regulations and amendments, the CBA has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

INCORPORATION BY REFERENCE

None.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Sections 17500–17630 Require Reimbursement: None.

Business Impact:

The CBA has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

AND

The following studies/relevant data were relied upon in making the above determination:

The CBA has determined that the following types of businesses may be affected by the proposed fee increase:

- Businesses owned by a licensee of the CBA that pay for the initial licensure and license renewal fees of its CPA owners or CPA employees.

The CBA implemented two temporary fee reductions in the prior four years. Each reduction was “temporary” with the understanding (and identification in regulation) that the fees would restore to a higher level at a specific date. The fees for biennial renewal and initial permit are currently set at \$50, with an automatic increase to \$120 scheduled to occur on July 1, 2016 pursuant to Title 16, California Code of Regulations section 70. This proposal would restore the biennial renewal and initial permit fees to \$200, a level that existed prior to fiscal year (FY) 2011–12.

Although generally speaking there will be an increase in fees of \$80, this proposed amendment is being viewed by the CBA as a fee restoration and therefore the CBA has not identified that there will be any significant statewide adverse economic impact.

Following is a table illustrating historic and existing fees and the proposed fees for each of the changes made by CBA:

Fee	FY 2011-12 Fee	FY 2013-14 Fee	FY 2014-15 Fee	FY 2015-16 Proposed Fee
Examination Fee – First time	\$100.00	\$100.00	\$50.00	\$50.00
Examination Fee – Repeat	\$50.00	\$50.00	\$25.00	\$25.00
CPA Certificate Application Fee	\$250.00	\$250.00	\$50.00	\$50.00
Initial Permit Fee to register a Partnership, Corporation or CPA	\$150.00	\$150.00	\$30.00	\$30.00
Initial Permit Fee to practice as a Partnership, Corporation or CPA	\$200.00	\$120.00	\$50.00	\$200.00
Biennial Renewal Permit Fee to practice as a Partnership, Corporation or CPA	\$200.00	\$120.00	\$50.00	\$200.00

In addition, although businesses owned by licensees of the CBA and businesses that employ licensees of the CBA may be impacted, the CBA estimates that the fiscal impact would be minor and absorbable to those businesses since the fee increase would amount to an \$80 increase per licensee or applicant from what the CBA is currently authorized to collect from licensees on July 1, 2016 (\$120). The CBA does not maintain data relating to the number or percentage of licensees who own a business; therefore, the number or percentage of businesses that may be impacted cannot be predicted. Accordingly, the initial or ongoing costs for a business owned by a licensee that pays for the licensure and renewal fees of its CPA business owners and employees cannot be projected.

Cost Impact on Representative Private Person or Business:

The proposed fee increase would impact individual licensees. The CBA is proposing to increase these fees on July 1, 2016 by \$80 from its current \$120 fee authority to \$200 (an additional \$40 per year for renewals). However, the CBA determined it would be minor and absorbable to the licensee since the annual average wage of a certified public accountant is \$75,870.

Effect on Housing Costs:

None.

EFFECT ON SMALL BUSINESS

The CBA has determined that the proposed regulations will not have a significant effect on small businesses. Staff estimates a minor, but absorbable, economic cost as a result of the restoration of fees for initial licensure and license renewal for CPAs. The average wage for an accountant in the State of California in 2012 according to the US Department of Labor’s Bureau of Labor Statistics was \$75,870. The increase of \$40 per year (\$80 overall) in fees for the initial licensure and license renewal will not have a significant adverse impact. The individuals and firms have paid this fee in the past without an adverse impact on the industry in California.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The CBA has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California because the proposed change restores fees for initial permit and biennial renewal to \$200, the same level in existence prior to FY 2011–12 and represents only an \$80 increase in what the CBA is currently authorized to collect from licensees on July 1, 2016 (\$120).

Further it will not create new business or eliminate existing businesses within the State of California because the \$200 fee restoration, an increase of only \$80 in what the CBA is currently authorized to collect from licensees on July 1, 2016 (\$120), will not be of sufficient magnitude to have the effect of creating or eliminating businesses. In addition, the public accounting industry previously accommodated this level of fees in FY 2011–12 without impact on either contraction or expansion of the number of businesses.

Benefits of Regulation:

The CBA has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents, worker safety, and state’s environment:

The proposed fee restoration will correct the current negative cash flow that is occurring as a result of two temporary fee reductions that began in July 2012 and July 2014, respectively. Additionally, the fee reduction more closely brings the CBA’s revenues and expenditures in balance. Following the fee restoration, the CBA’s Reserve will be sufficient to ensure the CBA meets its consumer protection mandate, including pro-

viding enough funding should the CBA need to access its \$2 million annual contingency funding for litigation and enforcement costs pursuant to BPC Section 5025.2.

This regulatory proposal does not affect worker safety because it has nothing to do with worker safety and only affects the licensure and renewal of individuals and businesses. This regulatory proposal does not affect the state’s environment because it has nothing to do with the environment.

CONSIDERATION OF ALTERNATIVES

The CBA has determined that no reasonable alternative it considered would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The CBA has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the CBA at 2000 Evergreen Street, Suite 250, Sacramento, California, 95815.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Name: Pat Billingsley
Address: 2000 Evergreen Street, Suite 250
Sacramento, CA 95815
Telephone No.: 916-561-1782
Fax No.: 916-263-3678
E-Mail
Address: pat.billingsley@cba.ca.gov

The backup contact person is:

Name: Kathryn Kay
Address: 2000 Evergreen Street, Suite 250
Sacramento, CA 95815
Telephone No.: 916-561-1742
Fax No.: 916-263-3678
E-Mail
Address: Kathryn.kay@cba.ca.gov

Website Access: Materials regarding this proposal can be found at http://www.dca.ca.gov/cba/laws_and_rules/pubpart.shtml.

TITLE 16. BOARD OF OCCUPATIONAL THERAPY

NOTICE IS HEREBY GIVEN that the California Board of Occupational Therapy (CBOT) is proposing to take the action described in the Informative Digest. Any person interested may submit statements or arguments relevant to the action proposed in writing. Written comments, including those sent by mail, facsimile, or email to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on May 26, 2015.

The Board does not intend to hold a hearing in this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the Board. The request must be received in the CBOT office not later than 5:00 p.m. on May 11, 2015.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as Contact Person and will be mailed to those persons who submit written or oral testimony related to this proposal or who

have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 2570.3 and 2570.20 of the Business and Professions Code (BPC), and to implement, interpret or make specific sections 2570.28, the Board is proposing to revise Division 39, Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST

Informative Digest

Existing regulations contained in section 4170 of Division 39 of Title 16 of the California Code Regulations identify Ethical Standards of Practice that have been adopted by the Board. Any violation of the adopted standards would constitute grounds for the CBOT to take an enforcement action against a licensee. This proposed action provides more detail and clarity regarding the Board's existing professional standards to better serve the profession and public on expected standards of practice or conduct and otherwise assist in identifying potential ethical dilemmas.

Policy Statement/Anticipated Benefits of Proposal

Pursuant to BPC section 2570.25, protection of the public shall be the highest priority of the CBOT in exercising its licensing, regulatory, and disciplinary functions. The intent and design of the proposed action is to promote public protection and otherwise enhance the CBOT's regulatory and disciplinary functions.

Consistency with Existing State Regulations

The Board has conducted a review of any related regulations and has determined that these are the only regulations dealing with Ethical Standards of practice for occupational therapy practitioners. Therefore, this regulatory proposal is consistent and compatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Local Agency or School District for Which Government Code Sections 17500-17630 Require Reimbursement: None.

Business Impact: This regulation will not have a significant statewide adverse economic impact directly affecting business including the ability of California businesses to compete with business in other states.

RESULTS OF ECONOMIC IMPACT ANALYSIS

The Board has determined that this regulatory proposal will not have an adverse impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of the Proposed Regulation

The intent and design of the proposed action is to promote public protection and otherwise enhance the CBOT’s regulatory and disciplinary functions.

Cost Impact on Affected Private Persons:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

Effect on Small Business:

The Board has determined that compliance with proposed regulations would not affect small business. Individual occupational therapy practitioners are required to comply with regulations that have been adopted by the Board which are necessary for public protection. The Board acknowledges the potential exists that the owner or an employee of a small occupational therapy business might subject their license to an enforcement action for violating professional and ethical standards. The Board does not anticipate a significant number of small businesses would be affected and any detrimental impact or hardship that might be incurred would be outweighed by the Board’s mandate to protect the health, safety, and welfare of California consumers.

CONSIDERATION OF ALTERNATIVES

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

Any interested person may present statements or arguments orally or in writing relevant to the above determinations within the timeframes identified in this Notice, or at a hearing in the event that such a request is made by the public.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulation, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained from the contact person listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulation is based is contained in the rulemaking file, which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the Board’s website as listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rule-making action may be addressed to:

Jeff Hanson
California Board of Occupational Therapy
2005 Evergreen Street, Suite 2050
Sacramento, CA 95815
(916) 263-2294 (Tel)
(916) 263-2701 (Fax)
cbot@dca.ca.gov

The backup contact person is:

Heather Martin
California Board of Occupational Therapy
2005 Evergreen Street, Suite 2050
Sacramento, CA 95815
(916) 263-2294 (Tel)
(916) 263-2701 (Fax)
cbot@dca.ca.gov

Website Access: All materials regarding this proposal can be found on-line at www.bot.ca.gov > Laws and Regulations > Proposed Regulations.

TITLE 22. OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT

The Office of Statewide Health Planning and Development (“the Office”) proposes to permanently adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

The two sections relate to the transmission of confidential patient information to the Office, and were amended on an emergency basis in order to delete a regulatory requirement to use a data encryption system with security vulnerability.

PUBLIC HEARING

The Office has not scheduled a public hearing for this proposed action, however, the Office will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action. The written comment period closes at 5:00 p.m. on May 26, 2015. No comments received after that time will be considered.

Submit comments to:

Stephen Pollitt
Information Security Officer
Office of Statewide Health Planning and
Development
400 R Street, Room 338
Sacramento, CA 95811
Phone: (916) 326-3620
Email: stephen.pollitt@oshpd.ca.gov
Web: <http://www.oshpd.ca.gov>

AUTHORITY AND REFERENCE

Authority cited: Sections 128810 and 128755, Health and Safety Code.

Reference: Sections 128735, 128736, 128737, and 128745, Health and Safety Code.

INFORMATIVE DIGEST

1. Summary of Existing Law and Regulations and the Effect of the Proposed Rulemaking

Hospitals and freestanding ambulatory surgery clinics licensed by the California Department of Public Health are required by law to file certain patient-level information with the Office at specified intervals.

Health and Safety Code section 128735, subdivision (g), requires that each hospital file a Hospital Discharge Abstract Data Record for each patient discharged from the hospital. Health and Safety Code section 128736 re-

quires that each hospital file an Emergency Care Data Record for each patient encounter in a hospital emergency department. Health and Safety Code section 128737 requires that each general acute hospital and licensed freestanding ambulatory surgery center file an Ambulatory Surgery Data Record for each patient encounter during which at least one ambulatory surgery procedure is performed. These three programs are often referred to as the patient data programs.

In addition, Health and Safety Code section 128745, subdivision (c), requires that each hospital at which Coronary Artery Bypass Graft (CABG) surgery is performed file a patient data record for each patient on whom CABG surgery is performed. This specific program is referred to as the California CABG Outcomes Reporting Program (CCORP), as the data are used to produce reports on outcomes of care.

Each of the patient data records reported to the Office in these four programs includes a set of data elements that are specified in statute and/or regulation. The data records include individually identifiable medical information.

The patient records are submitted to the Office electronically. The patient data programs use the MIRCAl system for online reporting (22 CCR §97212) and the CABG program uses the CORC system for online reporting (22 CCR §97170). The Office many years ago also adopted regulations that specify the method of electronic data submission using these systems: Title 22, CCR, §97244 for MIRCAl and Title 22, CCR, §97177.15 for CORC.

Until the emergency regulations went into effect, February 9, 2015, each of these sections specified use of a Microsoft Internet Explorer web browser that supports a secure Internet connection utilizing HTTPS and Secure Socket Layer (SSL) technology, an encryption technology.

SSL technology has become outdated and has been found to have security vulnerability. On January 8, 2015, the Office received a notice from the Department of Technology that in order to fully remediate the SSL security vulnerability, OTech would completely disable SSL. All OTech client departments, including the Office, will be required to instead use the replacement encryption technology, Transport Layer Security (TLS), which is now standard. This remediation began February 13, 2015.

With the emergency rulemaking, the Office deleted the outdated requirements to use SSL. The current MIRCAl and CORC systems require the use of data encryption and can be used both with SSL and with TLS, the more current standard. Because use of the MIRCAl and CORC systems for on-line reporting is separately mandated in regulations, and each of these systems re-

quires data encryption, there is no need to list the encryption requirements in sections 97244 and 97177.15.

One other small change was made — because older versions of the Microsoft Internet Explorer browser that are no longer supported by Microsoft may only accept SSL, the text was also modified to require that a Microsoft supported version of Internet Explorer be used; current versions will accept TLS.

2. Policy Statement Overview, Including Specific Benefits Anticipated

The Health and Safety Code provisions requiring that patient data be reported to the Office also require that the Office protect patients’ rights of confidentiality. In light of these specific provisions, as well as the California Information Practices Act of 1977 (Civil Code section 1798 et seq.), the Office must at all times insure that the systems used to collect and store confidential patient information are secure consistent with current technological capabilities and healthcare industry practice.

The Office is proposing to permanently amend the two regulatory sections that require use of SSL encryption technology in order to avoid mandating use of an outdated technology with security vulnerabilities by facilities that are reporting identifiable patient medical information to the Office. The amended regulations provide greater protection of data confidentiality and patient privacy.

3. Evaluation of Inconsistency/Incompatibility with Existing State Regulations

As required by Government Code section 11346.5, subdivision (a)(3)(D), the Office evaluated the language contained in the proposed amendments. The Office has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations. These regulations relate only to existing programs.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Office has made the following initial determinations:

Mandate on local agencies or schools districts: None.
 Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 et seq.: None.

Other non-discretionary cost or savings imposed on local agencies: None.

Cost or savings in federal funding to the state: None.
 Significant effect on housing costs: None.

Significant statewide adverse economic impact directly affecting business: The Office has made an initial determination that the action will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Cost impacts on a representative private person or business: The Office is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Small Business: The Office has determined that the amendment may affect small business.

Results of the Economic Impact Assessment

Repealing the mandate to use the outdated SSL encryption technology when filing patient data with the Office is not anticipated to impose any new costs on the reporting facilities.

Therefore, the Office concludes that this regulatory action will not affect the following:

- The creation of jobs within the state
- The elimination of jobs within the state
- The creation of new businesses within the state
- The elimination of existing businesses within the state
- The expansion of businesses currently doing business in the state
- The benefit to the public is that patient privacy will be more stringently protected.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision(a)(13), the Office must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the agency would 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 than the proposed action or would be more cost-effective to the affected private persons and equally effective in implementing the statutory policy or other provision of law.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Stephen Pollitt
Information Security Officer
Office of Statewide Health Planning and
Development
400 R Street, Room 338
Sacramento, CA 95811
Phone: (916) 326-3620
Email: stephen.pollitt@oshpd.ca.gov

The backup contact person for these inquiries is:

Beth Herse
Attorney
Office of Statewide Health Planning and
Development
400 R Street, Room 320
Sacramento, CA 95811
Phone: (916) 326-3610
Email: beth.herse@oshpd.ca.gov

AVAILABILITY OF EXPRESS TERMS OF THE
PROPOSED ACTION, INITIAL STATEMENT OF
REASONS, AND INFORMATION UPON WHICH
THE PROPOSED ACTION IS BASED

The Office will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the address given for the contact persons. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the text of the proposed regulations, the initial statement of reasons, and an economic impact assessment contained in the initial statement of reasons. It also includes the emergency rulemaking documents. Copies may be obtained by contacting one of the contact persons listed above.

AVAILABILITY OF SUBSTANTIAL CHANGES
TO ORIGINAL PROPOSAL

After considering all timely and relevant comments received, the Office may adopt the proposed regulations substantially as described in this notice. If the Office makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Office adopts the regulations as revised.

Please send requests for copies of any modified regulations to the listed contact person. The modified regulations will also be available on the website at <http://www.oshpd.ca.gov/LawsRegs/NewRegulations.html>. The Office will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF FINAL STATEMENT
OF REASONS

Upon its completion, copies of the Final Statement of Reasons will be available from the designated contact person. The Final Statement of Reasons will also be available through the Office's website at <http://www.oshpd.ca.gov/LawsRegs/NewRegulations.html>.

AVAILABILITY OF DOCUMENTS ON
THE INTERNET

Copies of materials published or distributed through the Office's website can be accessed at <http://www.oshpd.ca.gov>. Materials related to this rulemaking can be accessed at <http://www.oshpd.ca.gov/LawsRegs/NewRegulations.html>.

GENERAL PUBLIC INTEREST

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

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

**NOTICE EXTENSION OF THE PUBLIC
COMMENT PERIOD FOR NOTICE OF
INTENT TO LIST: STYRENE**

April 10, 2015

[Note: Posted on OEHHA's website on 3/26/2015]

On February 27, 2015, the California Environmental Protection Agency's (Cal/EPA) Office of Environmental Health Hazard Assessment (OEHHA) published a notice in the *California Regulatory Notice Register* (Register 2014, No. 6-Z) announcing its intent to list *styrene* as known to the state to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986.¹

The February 27 notice initiated a 30-day public comment period that was scheduled to close on March 30, 2015. OEHHA has received a request from the Expanded Polystyrene (EPS) Industry Alliance seeking an extension of the comment period. **OEHHA hereby extends the public comment period until 5 p.m., Monday, April 29, 2015.**

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.*

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 “Styrene” in the subject line. Hard copy comments may be mailed, faxed, or delivered in person to the addresses below:

Mailing Address:
Office of Environmental Health Hazard Assessment
P.O. Box 4010, MS-19B
Sacramento, California 95812-4010
Fax: (916) 323-2265
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 Esther Barajas-Ochoa at esther.barajas-ochoa@oehha.ca.gov or at (916) 322.2068.

DISAPPROVAL DECISION

DECISION OF DISAPPROVAL OF REGULATORY ACTION

Printed below is the summary of an Office of Administrative Law disapproval decision. The full text of the disapproval decision is available at www.oal.ca.gov under the “Publications” tab. You may also request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339, (916) 323-6225 — FAX (916) 323-6826. Please request by OAL file number.

DENTAL HYGIENE COMMITTEE OF CALIFORNIA

**State of California
Office of Administrative Law**

In re:
Dental Hygiene Committee of California
Regulatory Action: Title 16 California Code of Regulations
Adopt section: 1108
DECISION OF DISAPPROVAL OF REGULATORY ACTION
Government Code Section 11349.3

OAL File No. 2015-0205-02S

SUMMARY OF REGULATORY ACTION

On February 5, 2015, the Dental Hygiene Committee of California (Committee) submitted its proposed regulatory action to the Office of Administrative Law (OAL) to adopt a regulatory scheme for remedial education for a registered dental hygienist examinee who fails to pass clinical examination after three attempts or as a result of a single incidence of imposing gross trauma on a patient. The proposed action would implement, interpret, and/or make specific Business and Professions Code section 1917.3.

On March 20, 2015, OAL notified the Committee that OAL disapproved the proposed regulation. This Decision of Disapproval of Regulatory Action explains the reasons for OAL’s action.

DECISION

OAL disapproved the above-referenced regulatory action, on the following grounds: (1) the Committee failed to follow required Administrative Procedure Act (APA) procedures; (2) the disapproved regulation fails to comply with the clarity standard of Government Code section 11349.1; and (3) the disapproved regulation fails to comply with the necessity standard of Government Code section 11349.1. The Committee must resolve all APA issues before OAL approves any resubmission.

CONCLUSION

For the reasons discussed above, the Committee failed to comply with APA procedural and substantive requirements. Thus, OAL disapproved this proposed regulatory action.

The Committee must resolve these issues through modified regulatory text and an addendum to the Initial Statement of Reasons, making the modified text and these documents available to the public for comment for at least 15 calendar days before the Committee adopts the regulations and resubmits this regulatory action to OAL for review. (Gov. Code, § 11347.1.)

The resubmitted regulatory action must also contain evidence or documentation that the Committee reviewed and adopted the final modified regulation text after complying with all public availability requirements. Any comments made in relation to these documents must be presented to the Committee for consideration. The Committee must summarize and respond to the comments in its Final Statement of Reasons. (Gov. Code, §§ 11346.8, subd. (c), 11346.9, subd. (a)(3).)

If you have any questions, please contact me at (916) 323-4217.

Date: March 27, 2015

Mark Storm
Senior Attorney
FOR: DEBRAM. CORNEZ
Director

Original: Lori Hubble
Copy: Donna Kantner

**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# 2015-0217-02
BOARD OF BARBERING AND COSMETOLOGY
Health and Safety

In this regulatory action, the Board is adopting and amending various sections in title 16 of the California Code of Regulations to define terms, and describe procedures for disinfecting tools as well as maintenance of sanitary conditions.

Title 16
California Code of Regulations
ADOPT: 977, 980.4 AMEND: 978, 979, 980, 980.1, 980.2, 980.3, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994
Filed 03/26/2015
Effective 07/01/2015
Agency Contact: Kevin Flanagan (916) 575-7104

File# 2015-0217-01
BOARD OF BARBERING AND COSMETOLOGY
Apprenticeships

This action by the Board of Barbering and Cosmetology, adopts and amends sections in Title 16, California Code of Regulations, relating to apprenticeship programs. These changes clarify that apprenticeship programs are two-year programs with a limit of one re-enrollment.

Title 16
California Code of Regulations
ADOPT: 914.1, 914.2 AMEND: 918, 921, 921.1, 921.2
Filed 04/01/2015
Effective 07/01/2015
Agency Contact: Kevin Flanagan (916) 575-7104

File# 2015-0211-01
BUREAU OF AUTOMOTIVE REPAIR
Update of Section 3373, False or Misleading Records
This change without regulatory effect filing by the Bureau of Automotive Repair (BAR) revises section 3373 of title 16 of the California Code of Regulations (CCR) to correct an internal cross reference.

Title 16
California Code of Regulations
AMEND: 3373
Filed 03/26/2015
Agency Contact: Nina Tantraphol (916) 403-8560

File# 2015-0319-03
CALIFORNIA POLLUTION CONTROL
FINANCING AUTHORITY
Electric Vehicle Charging Station Financing Program

Through this emergency rulemaking, the California Pollution Control Financing Authority ("CPCFA") is adopting 4 CCR §§ 8078.3, 8078.4, 8078.5, 8078.6, and 8078.7. The Electric Vehicle Charging Station Financing Program (the "EVCS Financing Program") was established through an interagency agreement between CPCFA and the California Energy Commission ("CEC"). The regulations adopted through this emergency rulemaking concern the establishment and implementation of the EVCS Financing Program.

Title 4
California Code of Regulations
ADOPT: 8078.3, 8078.4, 8078.5, 8078.6, 8078.7
Filed 03/30/2015
Effective 03/30/2015
Agency Contact: Ethan Wieser (916) 651-3712

File# 2015-0212-01
DEPARTMENT OF INSURANCE
Credit for Reinsurance

In this change without regulatory effect the Department of Insurance is amending multiple sections in Title 10 of the California Code of Regulations. The changes are in response to SB 1216 which made changes to the reinsurance statutes. One of the changes removed the Insurance Commissioner's authority to impose reinsurance accounting requirements on foreign insurers. The Department of Insurance is therefore removing the reinsurance accounting requirements for foreign insurers.

Other changes include updated citations and cross references, punctuation fixes and formatting.

Title 10
 California Code of Regulations
 AMEND: 2303, 2303.1, 2303.2, 2303.3, 2303.4, 2303.5, 2303.6, 2303.7, 2303.8, 2303.9, 2303.10, 2303.11, 2303.12, 2303.13, 2303.14, 2303.16, 2303.17, 2303.18, 2303.19, 2303.20, 2303.21, 2303.22, 2303.23, 2303.24, 2303.25
 Filed 03/25/2015
 Agency Contact: Monica Macaluso (415) 538-4118

File# 2015-0312-04
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
 Change to Reflect Proper Agency Name, Title 14 CCR Division 7

This is a change without regulatory effect filed by the Department of Resources Recycling and Recovery to change the agency name in the heading title for division 7 in title 14 of the California Code of Regulations from the "California Integrated Waste Management Board" to the "Department of Resources Recycling and Recovery." Senate Bill 63 (Stats. 2009, c. 21) dissolved the California Integrated Waste Management Board and moved all agency functions into a new department called the "Department of Resources Recycling and Recovery," informally known as "CalRecycle." (See Public Resources Code section 40401.)

Title 14
 California Code of Regulations
 AMEND: Heading of Division 7
 Filed 04/01/2015
 Agency Contact: Harlee Branch (916) 341-6056

File# 2015-0323-01
FISH AND GAME COMMISSION
 Ocean Salmon Sport Fishing in April 2015, Recovery of Coded Wire Tags from Salmon Heads, and Coordinates of River Mouth Closed Areas

This rulemaking action by the Fish and Game Commission (FGC) amends section 27.80 of title 14 of the California Code of Regulations to adopt the open fishing days, bag limits, and minimum size requirements for ocean salmon sport fishing in effect April 4, 2015 through April 30, 2015. In addition, the Commission is amending section 27.75 to include latitude and longitude coordinates for the Smith River, Klamath River, and Eel River control zones. The Commission is also amending section 1.73 to include language to facilitate the recovery of coded wire tags from recreationally caught salmon.

Title 14
 California Code of Regulations
 AMEND: 1.73, 27.75, 27.80
 Filed 04/01/2015
 Effective 04/01/2015
 Agency Contact: Sherrie Fonbuena (916) 654-9866

File# 2015-0210-01
MEDICAL BOARD OF CALIFORNIA
 Implementation of SB 1441

This resubmitted rulemaking action by the Medical Board of California (MBOC) amends section 1361 and adopts six new sections in title 16 of the California Code of Regulations (CCR) to implement the Uniform Standards Regarding Substance-Abusing Healing Arts Licensees, April 2011 in accordance with Business and Professions Code section 315. The Uniform Standards were developed by the Substance Abuse Coordination Committee that was established by the Department of Consumer Affairs pursuant to Senate Bill 1441 (Stats. 2008, ch. 548).

Title 16
 California Code of Regulations
 ADOPT: 1361.5, 1361.51, 1361.52, 1361.53, 1361.54, 1361.55 AMEND: 1361
 Filed 03/25/2015
 Effective 07/01/2015
 Agency Contact: Kerrie Webb (916) 263-2389

File# 2015-0218-02
STATE MINING AND GEOLOGY BOARD
 San Luis Obispo-Santa Barbara P-C Region

This rulemaking action adopts new section 3550.17 in Title 14 of the California Code of Regulations specifying those areas of the San Luis Obispo-Santa Barbara Production Consumption Region designated as being of regional significance for construction aggregate deposits.

Title 14
 California Code of Regulations
 ADOPT: 3550.17
 Filed 03/30/2015
 Effective 07/01/2015
 Agency Contact: Stephen M. Testa (916) 322-1082

File# 2015-0320-07
STATE WATER RESOURCES CONTROL BOARD
 Informational Order Authority During Drought

The State Water Resources Control Board submitted this emergency readoption action to keep in effect and further amend subdivision (c) of section 879 of title 23 of the California Code of Regulations that pertains to informational orders issued by the Deputy Director to water right holders, diverters, or users. Section 879(c) was

adopted in OAL file no. 2014-0708-02E. The reoption and further amendment of section 879(c) allows the Deputy Director to issue informational orders under specified circumstances, and the party receiving the order has 30 days to respond to the order with the requested information. Section 879(c) also allows the Deputy Director to authorize an extension up to 30 days for responding to an informational order, impose a penalty for failure to respond to the informational order, as authorized under Water Code sec. 1846, and grandfathers in informational orders already issued by the Deputy Director under authority of existing section 879(c).

Title 23
 California Code of Regulations
 AMEND: 879(c)
 Filed 03/27/2015
 Effective 03/27/2015
 Agency Contact:
 Andrew Tauriainen (916) 341-5445

File# 2015-0320-01
 STATE WATER RESOURCES CONTROL BOARD
 Drought Emergency Water Conservation

The State Water Resources Control Board (SWRCB) submitted this emergency reoption action to keep in effect the three emergency regulations adopted in OAL file no. 2014-0718-01E, and to further amend two of the emergency regulations, in title 23 of the California Code of Regulations pertaining to drought emergency water conservation.

Title 23
 California Code of Regulations
 ADOPT: 863, 864, 865
 Filed 03/27/2015
 Effective 03/27/2015
 Agency Contact: David Rose (916) 341-5196

File# 2015-0320-06
 STATE WATER RESOURCES CONTROL BOARD
 Article 24 Curtailment of Diversions Based on Insufficient Flow to Meet All Needs

The State Water Resources Control Board readopted with some amendments sections 877, 878, 878.1, 878.2, 879, 879.1 and 879.2 of title 23 of the California Code of Regulations to provide for curtailment of diversions in certain tributaries of the Sacramento River (Mill Creek, Deer Creek, and Antelope Creek) when insufficient flows are available to protect salmon and steelhead.

Title 23
 California Code of Regulations
 ADOPT: 877, 878, 878.1, 878.2, 879, 879.1, 879.2
 Filed 03/30/2015
 Effective 03/30/2015
 Agency Contact: Daniel Schultz (916) 323-9392

**CCR CHANGES FILED
 WITH THE SECRETARY OF STATE
 WITHIN October 29, 2014 TO
 April 1, 2015**

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

11/10/14 AMEND: 1, 14, 20
 10/29/14 AMEND: 86

Title 2

03/24/15 AMEND: 1900
 03/23/15 AMEND: 1189.10
 03/23/15 AMEND: 59740
 03/17/15 AMEND: 549
 03/04/15 AMEND: 11087, 11088, 11089, 11090, 11091, 11092, 11093, 11094, 11095, 11096, 11097 REPEAL: 11098
 02/23/15 ADOPT: 59760
 02/23/15 ADOPT: 553, 553.1, 553.2, 553.3, 553.4, 553.5, 553.6, 599.100, 599.101, 599.102, 599.120, 599.121, 599.122, 599.123, 599.124, 599.140, 599.141, 599.142, 599.143, 599.144, 599.145, 599.146, 599.160, 599.161, 599.162, 599.163, 599.164
 02/09/15 AMEND: 1859.76
 02/02/15 AMEND: 18705, 18705.3, 18705.4, 18705.5 REPEAL: 18704, 18704.1, 18704.5
 02/02/15 AMEND: 18450.11
 02/02/15 AMEND: 18740
 01/22/15 AMEND: 54300
 12/31/14 ADOPT: 20620 AMEND: 20610, 20611, 20612, 20613, 20622 and renumber as 20621, 20623 and renumber as 20622, 20624 and renumber as 20623, 20625 and renumber as 20624, 20626 and renumber as 20625, 20627 and renumber as 20626, 20630, 20631, 20632, 20633, 20635 and

	renumber as 20634, 20636 and renumber as 20635, 20637 and renumber as 20636, 20638 and renumber as 20637, 20639 and renumber as 20638, 20640, 20641, 20642, 20645 and renumber as 20643, 20646 and renumber as 20644, 20650, 20651, 20652, 20653, 20654, 20660, 20661, 20662, 20663, 20670, 20672, 20680, 20681, 20682 REPEAL: 20620, 20621, 20671, Appendices A and B to Chapter 6	Title 4	
12/18/14	ADOPT: 1859.167.1, 1859.167.2, 1859.167.3 AMEND: 1859.2, 1859.77.4, 1859.106.1, 1859.160, 1859.161, 1859.162, 1859.163, 1859.163.1, 1859.163.4, 1859.163.5, 1859.164, 1859.164.1, 1859.164.2, 1859.165, 1859.166, 1859.166.1, 1859.167, 1859.167.2 (renumbered as 1859.167.4), 1859.167.3 (renumbered as 1859.167.5), 1859.168, 1859.171, 1859.172	03/30/15	ADOPT: 8078.3, 8078.4, 8078.5, 8078.6, 8078.7
12/16/14	ADOPT: 557	03/13/15	AMEND: 5205, 5230
12/15/14	AMEND: 18545, 18703.4, 18730, 18940.2	03/10/15	ADOPT: 10170.16, 10170.17, 10170.18, 10170.19, 10170.20, 10170.21, 10170.22, 10170.23, 10170.24
12/15/14	AMEND: 18704.1, 18705.1	03/09/15	ADOPT: 10091.1, 10091.2, 10091.3, 10091.4, 10091.5, 10091.6, 10091.7, 10091.8, 10091.9, 10091.10, 10091.11, 10091.12, 10091.13, 10091.14, 10091.15
12/15/14	AMEND: 18704	03/04/15	AMEND: 1866
12/10/14	ADOPT: 20700, 20701, 20702, 20703, 20704, 20705, 20706, 20707	03/02/15	AMEND: 1688
12/03/14	AMEND: 51.7	02/26/15	ADOPT: 24465-3
11/24/14	AMEND: 18942	02/02/15	ADOPT: 12003, 12311, 12312, 12313, 12315, 12316 AMEND: 12002 REPEAL: 12400, 12401, 12402, 12403, 12404, 12405, 12406, 12410
11/24/14	AMEND: 18705.2	01/30/15	AMEND: 10085
11/20/14	AMEND: 1859.73.2, 1859.76, 1859.78.7, 1859.82	01/13/15	ADOPT: 5600, 5610, 5620, 5630, 5640 AMEND: 5000, 5144, 5170, 5200, 5205, 5230, 5240, 5255, 5350, 5370
11/03/14	ADOPT: 559.518	01/13/15	AMEND: 1858
10/29/14	AMEND: 18705.3	12/24/14	AMEND: 106(d)
Title 3		12/15/14	AMEND: 10080, 10081, 10082, 10083, 10084, 10085, 10086
03/20/15	AMEND: 3435(b)	12/05/14	ADOPT: 10080, 10081, 10082, 10083, 10084, 10085, 10086, 10087
03/17/15	AMEND: 1428.6, 1428.7, 1428.8, 1428.10, 1428.12	11/19/14	ADOPT: 12006, 12012, 12035, 12052, 12054, 12056, 12058, 12060, 12062, 12064, 12066, 12068 AMEND: 12002, 12015, (Renumbered 12047), 12017, (Renumbered 12048), 12050 REPEAL: 12218.5, 12234
03/02/15	AMEND: 3435(b)	11/10/14	ADOPT: 8130, 8131, 8132, 8133, 8134, 8135, 8136, 8137, 8138
02/25/15	AMEND: 2	11/10/14	AMEND: 10030, 10031, 10032, 10033, 10033, 10035, 10036
02/18/15	AMEND: 4500	Title 5	
02/12/15	AMEND: 3435(b)	03/12/15	AMEND: 19810
02/02/15	AMEND: 1392.8.1	02/18/15	ADOPT: 58621 AMEND: 58601, 58612, 58620
01/27/15	AMEND: 3591.13(a)	01/30/15	ADOPT: 71105, 71105.5, 71410, 71471, 71775, 71775.5, 74240, 74250, 75140 AMEND: 70000, 71400, 71650, 75150
01/26/15	AMEND: 3435(b)	01/20/15	ADOPT: 80693, 80694
01/21/15	AMEND: 300, 301	01/08/15	ADOPT: 15494, 15495, 15496, 15497, 15497.5
01/16/15	AMEND: 3435	12/04/14	AMEND: 76120
01/02/15	AMEND: 3435(b)	12/04/14	AMEND: 30040, 30042.5
12/23/14	AMEND: 1380.19, 1442.7	12/01/14	AMEND: 1514, 3380
12/01/14	AMEND: 1310, 1310.1		
11/19/14	AMEND: 3435(b)		
11/03/14	AMEND: 3591.11(a)		

CALIFORNIA REGULATORY NOTICE REGISTER 2015, VOLUME NO. 15-Z

11/18/14 ADOPT: 27200, 27201, 27300, 27301, 27400, 27401, 27500, 27501, 27502, 27600, 27601, 27602

11/10/14 AMEND: 80225

11/05/14 ADOPT: 19810 REPEAL: 19810, 19812, 19813, 19814, 19815, 19816, 19816.1, 19817, 19817.1, 19817.2, 19817.5, 19818, 19819, 19820, 19821, 19821.5, 19822, 19823, 19824, 19824.1, 19825, 19825.1, 19827, 19828, 19828.1, 19828.2, 19828.3, 19828.4, 19829, 19829.5, 19830, 19830.1, 19831, 19832, 19833, 19833.5, 19833.6, 19834, 19835, 19836, 19837, 19837.1, 19837.2, 19837.3, 19838, 19840, 19841, 19843, 19844, 19845, 19845.1, 19845.2, 19846, 19846.1, 19847, 19848, 19849, 19850, 19851, 19851.1, 19852, 19853, 19854, 19854.1, 19855

10/30/14 AMEND: 26000

Title 8

02/25/15 AMEND: 9789.25

02/12/15 AMEND: 333, 336

02/04/15 AMEND: 9789.10, 9789.11, 9789.20, 9789.21, 9789.22, 9789.23, 9789.25, 9789.50, 9789.60, 9789.70, 9789.110, 9789.111, 9790

12/04/14 AMEND: 9789.39

12/02/14 AMEND: 5620, 6165, 6180, 6181, 6182, 6183, 6184

12/01/14 AMEND: 1514, 3380

11/26/14 AMEND: 5155

Title 9

03/09/15 AMEND: 4210

Title 10

03/25/15 AMEND: 2303, 2303.1, 2303.2, 2303.3, 2303.4, 2303.5, 2303.6, 2303.7, 2303.8, 2303.9, 2303.10, 2303.11, 2303.12, 2303.13, 2303.14, 2303.16, 2303.17, 2303.18, 2303.19, 2303.20, 2303.21, 2303.22, 2303.23, 2303.24, 2303.25

03/18/15 ADOPT: 6432

03/16/15 ADOPT: 6426, 6434

02/19/15 ADOPT: 6432

02/05/15 ADOPT: 8000, 8010, 8020, 8030, 8040

02/05/15 ADOPT: 6428, 6430

02/02/15 AMEND: 3528

01/30/15 ADOPT: 2240.15, 2240.16, 2240.6, 2240.7 AMEND: 2240, 2240.1, 2240.4, 2240.5

01/20/15 AMEND: 2695.85

01/08/15 AMEND: 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2507.1, 2507.2, 2508, 2509

01/02/15 AMEND: 2698.95

12/12/14 ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620

12/12/14 ADOPT: 6657, 6658, 6660, 6664, 6670

12/10/14 AMEND: 2498.4.9

12/08/14 AMEND: 2498.6

12/04/14 AMEND: 2717

11/25/14 ADOPT: 2548.7, 2548.8 AMEND: 2548.2, 2548.4, 2548.5, 2548.7 (renumbered to 2548.9), 2548.9 (renumbered to 2548.10), 2548.10 (renumbered to 2548.11), 2548.11 (renumbered to 2548.12), 2548.12 (renumbered to 2548.13), 2548.13 (renumbered to 2548.14), 2548.14 (renumbered to 2548.15), 2548.15 (renumbered to 2548.16), 2548.16 (renumbered to 2548.17), 2548.17 (renumbered to 2548.18), 2548.18 (renumbered to 2548.19), 2548.19 (renumbered to 2548.20), 2548.20 (renumbered to 2548.21), 2548.21 (renumbered to 2548.22), 2548.22 (renumbered to 2548.23), 2548.23 (renumbered to 2548.24), 2548.24 (renumbered to 2548.25), 2548.25 (renumbered to 2548.26), 2548.26 (renumbered to 2548.27), 2548.27 (renumbered to 2548.28), 2548.28 (renumbered to 2548.29), 2548.29 (renumbered to 2548.30), 2548.30 (renumbered to 2548.31), and 2548.31 (renumbered to 2548.32) REPEAL: 2548.8

11/17/14 ADOPT: 6460

11/17/14 ADOPT: 8000, 8010, 8020, 8030, 8040

11/10/14 AMEND: 2498.6

11/03/14 AMEND: 2318.6, 2353.1, 2354

Title 11

03/09/15 ADOPT: 4250, 4251, 4252, 4253, 4254, 4255, 4256, 4257, 4258, 4259

Title 13

01/23/15 AMEND: 553.70

01/21/15 AMEND: 1159

12/31/14 AMEND: 2025

12/17/14 ADOPT: 2416, 2417, 2418, 2419, 2419.1, 2419.2, 2419.3, 2419.4

12/17/14 ADOPT: 2416, 2417, 2418, 2419, 2419.1, 2419.2, 2419.3, 2419.4

CALIFORNIA REGULATORY NOTICE REGISTER 2015, VOLUME NO. 15-Z

12/01/14	ADOPT: 16.00, 16.02, 16.04, 16.06, 16.08, 16.10, 16.12, 16.14	1854, 1856, 1860, 1866, 1867, 1868, 1870, 1872, 1876, 1878, 1888, 1890, 1892 REPEAL: 1857
10/29/14	AMEND: 1239	
Title 13, 17		
01/23/15	AMEND: 553.70	03/12/15 REPEAL: 3999.13
01/21/15	AMEND: 1159	02/11/15 REPEAL: 3999.11
12/05/14	AMEND: Title 13: 1900, 1956.8, 2036, 2037, 2112, 2139, 2140, 2147, 2485; Title 17: 95300, 95301, 95302, 95303, 95305	02/09/15 ADOPT: 8121
		01/28/15 ADOPT: 3364.1, 3364.2 AMEND: 3351, 3364
Title 14		
04/01/15	AMEND: Heading of Division 7	12/22/14 ADOPT: 3620, 3621, 3622, 3623, 3624, 3625, 3626 AMEND: 3000, 3521.1, 3521.2, 3545, 3800.2 REPEAL: 3620, 3625
04/01/15	AMEND: 1.73, 27.75, 27.80	12/04/14 AMEND: Renumber 8125 to 8199
03/30/15	ADOPT: 3550.17	12/03/14 AMEND: Renumber Section 8002 to 8901
03/10/15	AMEND: 1.91, 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.51, 27.65, 28.26, 28.27, 28.28, 28.29, 28.48, 28.49, 28.54, 28.55, 58.56, 28.58, 28.90	12/01/14 AMEND: 4604, 4605
02/23/15	AMEND: 1.45, 2.09, 4.05, 5.00, 5.80, 7.50, 8.00, 27.90	11/26/14 REPEAL: 2600, 2603, 2604, 2605, 2606, 2615, 2616, 2617, 2618, 2619, 2620, 2635, 2635.1, 2636, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2646.1, 2647, 2647.1, 2648, 2649, 2710, 2711, 2712, 2714
01/30/15	AMEND: 465, 472	
01/29/15	AMEND: 1665.1, 1665.2, 1665.3, 1665.4, 1665.5, 1665.6, 1665.7, 1665.8	11/06/14 ADOPT: 1712.2, 1714.2, 1730.2, 1740.2 AMEND: 1700, 1706, 1712, 1712.1, 1714, 1714.1, 1730, 1730.1, 1731, 1747, 1747.1, 1747.5, 1748, 1748.5, 1749, 1749.1, 1750, 1750.1, 1751, 1752, 1753, 1754, 1756, 1760, 1766, 1767, 1768, 1770, 1772, 1776, 1778, 1788, 1790, 1792
01/28/15	AMEND: 4351.1 (renumbered as 4351), 4360 REPEAL: 4351	11/05/14 ADOPT: 1
12/30/14	ADOPT: 1751, 1761, 1777.4, 1780, 1781, 1782, 1783, 1783.1, 1783.2, 1783.3, 1784, 1784.1, 1784.2, 1785, 1785.1, 1786, 1787, 1788, 1789	
12/29/14	AMEND: 1665.7	
12/29/14	AMEND: 670.5	
12/16/14	AMEND: 790, 791.6, 791.7, 795	
12/10/14	AMEND: 895.1, 1038, 1039.1, 1041, 1092.01, 1092.28 REPEAL: 1038	
11/26/14	AMEND: 923.2 [943.2, 963.2], 923.4 [943.4, 963.4], 923.5 [943.5, 963.5], 923.9 [943.9, 963.9]	
11/25/14	AMEND: 1038, 1038.2	
11/24/14	AMEND: 917.2, 937.2, 957.2	
11/17/14	AMEND: 1051(a)	
11/14/14	AMEND: 790, 817.02, 819.02, 819.03, 819.04, 820.01	
11/13/14	AMEND: 895.1, 929.1, 949.1, 969.1, 1052	
11/05/14	ADOPT: 5200, 5200.5, 5201, 5202, 5203, 5204, 5205, 5206, 5207, 5208, 5209, 5210, 5211, 5300, 5301, 5302, 5303, 5304, 5304.5, 5305, 5306, 5307	
Title 15		
03/17/15	ADOPT: 3410.2 AMEND: 3000, 3173.2, 3287, 3410.1	
03/16/15	ADOPT: 1830.1, 1840.1, 1847.1, 1848.5, 1849.1, 1850.1 AMEND: 1800, 1806, 1812, 1814, 1830, 1831, 1840, 1847, 1848, 1849, 1850, 1851 1852, 1853,	
Title 16		
04/01/15	ADOPT: 914.1, 914.2 AMEND: 918, 921, 921.1, 921.2	
03/26/15	ADOPT: 977, 980.4 AMEND: 978, 979, 980, 980.1, 980.2, 980.3, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994	
03/26/15	AMEND: 3373	
03/25/15	ADOPT: 1361.5, 1361.51, 1361.52, 1361.53, 1361.54, 1361.55 AMEND: 1361	
03/18/15	AMEND: 2649	
03/06/15	REPEAL: 950.8, 950.9	
01/21/15	AMEND: 1387	
01/12/15	AMEND: 601.3, 601.5, 620, 621, 622, 628, 631, 631.1	
01/08/15	AMEND: 1707.5	
12/30/14	ADOPT: 832.22, 833	
12/23/14	AMEND: 116	
12/22/14	AMEND: 1948	
12/17/14	AMEND: 109	
12/17/14	AMEND: 1399.541	
12/03/14	AMEND: 2610	

CALIFORNIA REGULATORY NOTICE REGISTER 2015, VOLUME NO. 15-Z

- 11/19/14 AMEND: 950.2, 950.9
 11/13/14 AMEND: 3003
 11/10/14 AMEND: 3005
 11/05/14 ADOPT: 1032.7, 1032.8, 1032.9, 1032.10, 1036.01 AMEND: 1021, 1028, 1030, 1031, 1032, 1032.1, 1032.2, 1032.3, 1032.4, 1032.5, 1032.6, 1033, 1033.1, 1034, 1034.1, 1035, 1036
- Title 17**
 02/27/15 AMEND: 13675, 13676
 02/11/15 AMEND: 2643.5, 2643.10, 2643.15
 02/05/15 AMEND: 6540
 01/21/15 ADOPT: 6550, 6551, 6553, 6553.1, 6555, 6557, 6557.1, 6557.2, 6557.3
 12/31/14 AMEND: 95802, 95830, 95833, 95852, 95852.2, 95890, 95892, 95895, 95921, 95973, 95975, 95976, 95981, 95983, 95985, 95990
 12/31/14 AMEND: 95201, 95202, 95203, 95204
 12/31/14 AMEND: 95101, 95102, 95103, 95104, 95111, 95112, 95113, 95114, 95115, 95119, 95121, 95122, 95124, 95130, 95131, 95132, 95133, 95152, 95153, 95156, 95157
 12/30/14 ADOPT: 30180.1, 30180.2, 30180.3, 30180.4, 30180.5, 30180.6, 30180.7, 30181, 30192.7, 30195.4, 30196, 30237, 30332.9 AMEND: 30180, 30190, 30192.1, 30194, 30195, 30195.2, 30195.3, 30235, 30253, 30254, 30257, 30330, 30332, 30332.5, 30332.6, 30332.8, 30333, 30333.1, 30334, 30336, 30336.1, 30336.5, 30346, 30346.2, 30348.1, 30350 REPEAL: 30192, 30210.2, 30237
 12/10/14 AMEND: 94014, 94016
 12/05/14 ADOPT: 95660, 95661, 95662, 95663, 95664
- Title 18**
 03/19/15 AMEND: 472, 902, 904
 03/04/15 AMEND: 6001
 02/09/15 AMEND: 1588
 01/28/15 AMEND: 140.1
 12/09/14 AMEND: 18662-0, 18662-3, 18662-4, 18662-5, 18662-6, 18662-8
 11/05/14 AMEND: 1603
- Title 20**
 03/12/15 AMEND: 3103
 03/04/15 AMEND: 1682(c)
- Title 21**
 02/12/15 ADOPT: 1469, 1470, 1471
- Title 22**
 02/09/15 AMEND: 97177.15, 97244
- 02/05/15 ADOPT: 100018, 100020, 100025, 100026, 100027, 100028, 100029, 100030 AMEND: 100005, 100007, 100009, 100014, 100015, 100016, 100017, 100018, 100020, 100021, 100025, 100026, 100027 REPEAL: 100013, 100019, 100022, 100023, 100024, 100028
 12/31/14 AMEND: 97174
 12/17/14 AMEND: 51341.1
 12/01/14 REPEAL: 63000.10, 63000.13, 63000.16, 63000.17, 63000.19, 63000.25, 63000.28, 63000.31, 63000.34, 63000.35, 63000.37, 63000.40, 63000.43, 63000.46, 63000.47, 63000.48, 63000.49, 63000.62, 63000.65, 63000.66, 63000.67, 63000.68, 63000.70, 63000.71, 63000.74, 63000.77, 63000.80, 63000.81, 63000.83, 63000.84, 63000.85, 63000.86, 63000.87, 63000.88, 63000.89, 63000.90, 63000.92, 63000.95, 63010, 63011, 63012, 63013, 63014, 63015, 63020, 63021, 63025, 63026, 63027, 63028, 63029, 63030, 63040, 63050, 63051, 63052, 63055, 63056, 63057, 63058
 11/18/14 AMEND: 97240, 97241, 97246
- Title 22, MPP**
 11/10/14 AMEND: 85001, 85075.1, 85075.2, 85075.3
- Title 23**
 03/30/15 ADOPT: 877, 878, 878.1, 878.2, 879, 879.1, 879.2
 03/27/15 AMEND: 879(c)
 03/27/15 ADOPT: 863, 864, 865
 03/18/15 AMEND: 3939.10
 03/17/15 ADOPT: 3919.15
 02/17/15 ADOPT: 3919.14
 01/23/15 ADOPT: 3939.37
 01/05/15 ADOPT: 3946(b), 3946(c), 3946(d) AMEND: 3946(a)
 11/25/14 AMEND: 2050, 2050.5, 2051
 10/30/14 AMEND: 1062, 1064, 1066, 3833.1
 10/29/14 ADOPT: 3979.8
 10/29/14 ADOPT: 3929.13
- Title 25**
 03/03/15 AMEND: 4514
- Title 27**
 11/19/14 AMEND: Appendix A of 25903
- Title 28**
 12/22/14 ADOPT: 1300.65.2, 1300.89.21 AMEND: 1300.65, 1300.65.1

CALIFORNIA REGULATORY NOTICE REGISTER 2015, VOLUME NO. 15-Z

Title MPP					
01/23/15	AMEND: 11-403			41-405,	42-209, 42-213, 42-221,
01/22/15	ADOPT: 42-708, 42-709	AMEND:		42-406, 42-407, 42-716, 42-721,	
	42-302, 42-701, 42-711, 42-712,			42-751, 42-769, 44-101, 44-102,	
	42-714, 42-716, 42-720, 42-721,			44-111, 44-113, 44-115, 44-133,	
	42-722, 42-802, 42-1009, 42-1010,			44-205, 44-207, 44-211, 44-304,	
	44-111			44-305, 44-313, 44-315, 44-316,	
12/12/14	ADOPT: 40-039	AMEND: 22-071,		44-318, 44-325, 44-327, 44-340,	
	22-072, 22-305, 40-103, 40-105,			44-350, 44-352, 48-001, 80-301,	
	40-107, 40-119, 40-125, 40-128,			80-310, 82-612, 82-812, 82-820,	
	40-173, 40-181, 40-188, 40-190,			82-824, 82-832, 89-110, 89-201	
			11/13/14	AMEND: 30-763	

