



# 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

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

### TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture (Department) amended subsection 3435(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Asian Citrus Psyllid (ACP) Interior Quarantine as an emergency action which was effective on July 8, 2015. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than January 4, 2016.

This notice is being provided to be in compliance with Government Code Section 11346.4.

#### PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to 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 amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.654.1018 or by email to [Sara.Khalid@cdfa.ca.gov](mailto:Sara.Khalid@cdfa.ca.gov). The written comment period closes at 5:00 p.m. on October 12, 2015. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Sara Khalid  
Department of Food and Agriculture  
Plant Health and Pest Prevention Services  
1220 N Street  
Sacramento, CA 95814  
[Sara.Khalid@cdfa.ca.gov](mailto:Sara.Khalid@cdfa.ca.gov)  
916.654.1017  
916.654.1018 (FAX)

Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this state and determine the probability of its spread and the feasibility of its control or eradication (Food and Agricultural Code (FAC) Section 5321).

Existing law also provides that the Secretary may establish, maintain and enforce quarantine, eradication and other such regulations as he deems necessary to protect the agricultural industry from the introduction and spread of pests (FAC Sections 401, 403, 407 and 5322).

#### Anticipated Benefits from This Regulatory Action

Existing law, FAC Section 403, provides that the department shall prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds.

Existing law, FAC Section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code which she is directed or authorized to administer or enforce.

Existing law, FAC Section 5321, provides that the Secretary is obligated to investigate the existence of any pest that is not generally distributed within this State and determine the probability of its spread, and the feasibility of its control or eradication.

Existing law, FAC Section 5322, provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and such other regulations as are in her opinion necessary to circumscribe and exterminate or prevent the spread of any pest which is described in FAC Section 5321.

The existing law obligates the Secretary to investigate and determine the feasibility of controlling or eradicating pests of limited distribution but establishes discretion with regard to the establishment and maintenance of regulations to achieve this goal. This amendment provides the necessary regulatory authority to prevent the artificial spread of a serious insect pest which is a mandated statutory goal.

The amendment of this regulation benefits the citrus industries (nurseries, fruit growers, wholesalers, retailers, exporters) and the environment by having a quarantine program to prevent the artificial spread of ACP over long distances. Most all of the commercial citrus

fruit and nursery stock production is located outside this proposed quarantine boundary area.

The national and international consumers of California citrus benefit by having high quality fruit available at lower cost. It is assumed that any increases in production costs will ultimately be passed on to the consumer.

The amendment of this regulation benefits homeowners who grow citrus for consumption and host material which is planted as ornamentals in various rural and urban landscapes.

FAC Section 401.5 states, “the department shall seek to protect the general welfare and economy of the state and seek to maintain the economic well-being of agriculturally dependent rural communities in this state.” The amendment of this regulation is preventing the artificial spread of ACP to uninfested areas of the State.

Huanglongbing (HLB) is generally distributed in Florida due to ACP being generally distributed there. The University of Florida Institute of Food and Agricultural Sciences Extension calculated and compared the impact of having and not having HLB present in Florida and concluded HLB had a total impact of \$3.64 billion and eliminated seven percent of the total Florida workforce. The overall California economy benefits by the amendment of this regulation which is intended to prevent ACP from becoming generally distributed in California and resulting in a similar effect on our economy as to what happened in Florida. This is now critical as HLB has been introduced into California.

There is no existing, comparable federal regulation or statute regulating the intrastate movement.

The Department considered any other possible related regulations in this area, and we find that these are the only regulations dealing in this subject area, and the only State agency which can implement plant quarantines. As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of this regulation and has determined that it is not inconsistent or incompatible with existing state regulations.

AMENDED TEXT

This emergency rulemaking action expanded the quarantine area for ACP in the San Luis Obispo and Santa Maria area of San Luis Obispo County, as well as an unincorporated area near Reedley in Fresno County by approximately 125 square miles. The effect of the amendment of this regulation is to provide authority for the State to perform quarantine activities against ACP within this additional area. The total area which would be under regulation is now approximately 51,815 square miles.

DISCLOSURES REGARDING THE PROPOSED ACTION

*The Department has made the following initial determinations:*

Mandate on local agencies and school 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 through 17630: None and no nondiscretionary costs or savings to local agencies or school districts.

Cost or savings in federal funding to the state: None.

The Department has made an initial determination that there will be no 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: Most businesses will not be affected. There is one citrus production nursery in the affected area that will be impacted. There is one retail nursery in the affected area. There are 38 citrus growers in the proposed area. There is no additional cost to growers who take their fruit to a packinghouse inside the current quarantine area. Growers choosing a packinghouse outside the quarantine area have three options: 1. Conduct pre-harvest treatments with an approved pesticide while fruit is still on the trees; 2. Field-clean the fruit to remove leaves and stems during harvest; 3. Send the fruit to a packinghouse within the quarantine area to be cleaned. Pre-harvest treatments cost growers approximately \$60 per acre and are required to be covered with a tarp while in transit. Tarps range in price from \$2,500-\$3,000 a piece. Field-cleaning the fruit will cost the grower approximately \$150-\$320 per acre depending on the citrus variety. Field cleaned fruit does not require a tarp for transport and can be moved within or from the quarantined area. Cleaning at a packinghouse within the quarantine area will cost the grower approximately \$300-\$400 per acre and the fruit must remain within the quarantine area, although the loads do not need to be covered with a tarp. There is one citrus packing house located within this quarantine area.

Based on the preceding above information, it was determined that due to the amendment of Section 3435(b), the agency is not aware of any cost impact on a representative business or private person. For the vast majority of businesses within the regulated area, no additional costs will be incurred.

*Small Business Determination*

The Department has determined that the proposed regulations may affect small business.

Significant effect on housing costs: None.

Results of the Economic Impact Analysis

Amendment of these regulations will not:

- (1) Create or eliminate jobs within California;
- (2) Create new businesses or eliminate existing businesses within California; or
- (3) Affect the expansion of businesses currently doing business within California.

The Department is not aware of any specific benefits the amendment of this regulation will have on worker safety or the health of California residents. The Department believes the amendment of this regulation benefits the welfare of California residents by protecting the economic health of the entire citrus industry. In 2010 the estimated value was \$2.1 billion for citrus fruit and \$28.5 million for citrus nursery stock without all the upstream buyers and downstream retailers included (*Reference: John Gilstrap of California Citrus Nursery Board for citrus nursery stock value and USDA–National Agricultural Statistics Service 2010 data for citrus fruit*). This is a needed source of revenue for the State’s economic health and this amendment will help protect this source of revenue.

ALTERNATIVES CONSIDERED

The Department 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 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 than the proposal described in this Notice.

AUTHORITY

The Department proposes to amend Section 3435(b) pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the FAC.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the FAC.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and

request for a public hearing may be directed is: Sara Khalid, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 654–1017, FAX (916) 654–1018, E-mail: Sara.Khalid@cdfa.ca.gov. In her absence, you may contact Stephen Brown at (916) 654–1017. Questions regarding the substance of the proposed regulation should be directed to Sara Khalid.

INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website ([www.cdfa.ca.gov/plant/Regulations.html](http://www.cdfa.ca.gov/plant/Regulations.html)).

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department has prepared an initial statement of reasons for the proposed actions, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

**TITLE 4. CALIFORNIA HEALTH FACILITIES FINANCING AUTHORITY**

The California Health Facilities Financing Authority (Authority) proposes to adopt the regulations described below after considering all comments, objections and recommendations regarding the proposed action.

PUBLIC HEARING

The Authority has not scheduled a public hearing on this proposed action. However, the Authority 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 to the Authority. Comments may also be submitted by facsimile (FAX) at (916) 654-5362 or email at [chffa@treasurer.ca.gov](mailto:chffa@treasurer.ca.gov). The written comment period closes at 5:00 p.m. on October 12, 2015. The Authority will consider only comments received by the Authority office by that time. Please submit comments to:

Martha Maldonado  
Operations Manager  
California Health Facilities Financing Authority  
915 Capitol Mall, Room 590  
Sacramento, CA 95814  
(916) 653-2799

#### AUTHORITY AND REFERENCE CITATIONS

The Authority adopts these regulations under the authority granted in Sections 5848.5 and 5848.6 of the Welfare and Institutions Code to implement, interpret and make specific section 5848.5 of the Welfare and Institutions Code.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Senate Bill 82, now known as the Investment in Mental Health Wellness Act of 2013, was approved by the Governor on June 27, 2013 and filed with the Secretary of State on the same day. This Act established a competitive grant program to disburse funds to selected California counties or counties acting jointly for the purpose of developing mental health crisis support programs. Specifically, funds will increase capacity for client assistance and services in crisis intervention, crisis stabilization, crisis residential treatment, rehabilitative mental health services and mobile crisis support teams. The grants from the Authority support capital improvement, expansion and limited start-up costs.

Emergency regulations to implement the Grant Program were approved by the Office of Administrative Law and were subsequently made permanent upon filing with the Secretary of State in October 2014. The regulations provide the necessary selection criteria by which applicants for grant funds under the Investment in Mental Health Wellness Act of 2013 will compete, eligibility requirements, eligible project costs for which grant funds may be spent, grant application, funding rounds and application submittal deadlines, maximum grant amounts by region and county, grant allocation approval process, appeal procedures, restrictions on use of grant funds, grant agreement provisions, requirements to release grant funds, requirements for construction projects on leased property, the Authority's ability

to recover unused grant funds and recover funds for non-performance, reporting requirements on the use of grant funds and the projects, and records retention, inspections and audits to ensure grants were properly spent and projects completed as approved by the Authority. At that time, the following forms were incorporated in the regulations by reference: Investment in Mental Health Wellness Grant Program Application, Form No. CHFFA 7 MH-01 (05/2015), Request for Disbursement Form, CHFFA 7 MH-02 (Rev. 06/2014), Actual Expenditures Report Form, CHFFA 7 MH-03 (Rev. 06/2014) Attachments A through F, and Completion Certificate & Final Report Form, CHFFA 7 MH-04 (Rev. 06/2014). However, these proposed regulations amend only one form, the Investment in Mental Health Wellness Grant Program Application, Form No. CHFFA 7 MH-01.

These proposed regulations amend the Investment in Mental Health Wellness Grant Program regulations to:

- a. Provide that nonprofit corporations or public agencies may be designated by counties to access resources directly.
- b. Provide that nonprofit corporations or public agencies may be designated by counties to hold title to real property acquired with grant funds.
- c. Impose specific conditions on the county and the nonprofit corporations or public agencies counties may designate to directly receive grant funding to further ensure that grant funds are utilized for the intended purposes.
- d. Ensure that the acquisition of real property, construction and/or renovation with grant funds is used for the explicit purposes for which the grant funds were provided through the execution of a Grant Agreement between the Authority and the county and between the Authority and any nonprofit corporations or public agencies counties may elect to designate to directly receive grant funding.
- e. Provide more flexibility for counties to ready their proposed Projects for commencement.
- f. Allow counties that have reached or are close to reaching their county maximums, to apply for Grant funds to fund other Projects.
- g. Specify in regulations the ability of the Authority to take and hold title to the real property purchased with Grant funds when private nonprofit corporations or public agencies as may be designated by counties to directly receive grant funding fails to comply with Section 7125.1 and the counties do not act timely.

Revisions are made to the Investment in Mental Health Wellness Grant Program Application, CHFFA 7

MH-01, (Rev. 05/2015), based on the proposed regulations.

- 1) Revision date of the Application.
- 2) Evaluation Criteria #4, reflects change from six to nine months for project commencement.
- 3) Form-4: County Grant Amounts Worksheet (contained within the Application) deletes dates for county maximums to coincide with proposed regulation change.
- 4) Attachment D, California Environmental Quality Act (CEQA) Review, also reflects the change for project commencement from six to nine months.

The Authority finds that these are the only regulations dealing in this subject area (Investment in Mental Health Grant Program) and, therefore, the Authority finds that these proposed amendments are compatible and consistent with the intent of the Legislature as codified in Welfare and Institutions Code Sections 5848.5 and 5848 and are not inconsistent or incompatible with existing state regulations.

The anticipated benefit of the proposed action is to the health and welfare of California residents by expediting the implementation of Mental Health Wellness Grant Programs through expediting the local entitlement process and the overall efficiency of project development.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

The Authority has made the following initial determinations:

Mandate on local agencies and school 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 and 17630: None.

Other nondiscretionary costs or savings imposed on local agencies: None.

Cost or savings in federal funding to the state: None.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None.

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

Significant effect on housing costs: None.

Small Business Determination: The proposed regulations do not affect small businesses as they do not place any obligation or regulatory requirement on business.

#### RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed regulations will neither create nor eliminate jobs in the State of California, nor result in the elimination of existing businesses or create or expand businesses in the State of California. The benefit of the regulations to the health and welfare of California residents is to expedite the implementation of Mental Health Wellness Grant Programs by expediting the local entitlement process and the overall efficiency of project development. The Authority concludes that it is unlikely that the proposal will eliminate any jobs, create new businesses, eliminate any existing businesses or result in the expansion of businesses currently doing business in the state. Additional jobs may be created as new Projects that increase the capacity to serve those with mental illness may result in the need for additional staff.

#### STATEMENT OF ALTERNATIVES CONSIDERED

In accordance with Government Code section 11346.5, subdivision (a)(13), the Authority must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Authority would be more effective in carrying out the purpose for which these regulations are proposed or would be as effective and less burdensome to affected entities than the proposed action, or would be more cost-effective to affected entities 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:

Martha Maldonado  
 Operations Manager  
 California Health Facilities Financing Authority  
 915 Capitol Mall, Room 590  
 Sacramento, CA 95814  
 (916) 653-2799  
 Email: [chffa@treasurer.ca.gov](mailto:chffa@treasurer.ca.gov)

The backup person for inquiries is:

Carolyn Aboubechara, Treasury Program Manager  
 California Health Facilities Financing Authority  
 915 Capitol Mall, Room 590  
 Sacramento, CA 95814  
 (916) 653-2799

AVAILABILITY OF THE STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS AND RULEMAKING FILE

The Authority will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published, the rulemaking file consists of this notice, the proposed text of the regulations, Form No. CHFFA 7 MH-01 (Investment in Mental Health Wellness Grant Program Application) and the initial statement of reasons.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After receiving and considering all timely and relevant comments received, the Authority may adopt the proposed regulations substantially as described in this notice. If the Authority makes modifications that are sufficiently related to the originally proposed text of the regulations and/or form incorporated by reference, it will make the modified text (with changes clearly indicated) available to the public for at least 15 days before the Authority adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Ms. Maldonado at the address indicated above.

The Authority will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Ms. Maldonado at the above address.

AVAILABILITY OF THE DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons and the text of the regulations and form incorporated by reference, in underline and strikeout can be accessed through the Authority's website at <http://www.treasurer.ca.gov/chffa/imhwa/index.asp>.

TITLE 8. OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Construction Safety Orders  
New Article 37  
New Sections 1950 through 1962

Confined Spaces in Construction (Horcher)

NOTICE IS HEREBY GIVEN that the Occupational Safety and Health Standards Board (Board) proposes to adopt, amend or repeal the foregoing provisions of Title 8 of the California Code of Regulations in the manner described in the Informative Digest, below.

PUBLIC HEARING

The Board will hold a public hearing starting at 10:00 a.m. on **October 15, 2015** in the **Auditorium** of the **State Resources Building, 1416 9th Street, Sacramento, CA 95814**. At this public hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest.

WRITTEN COMMENT PERIOD

Any interested person may present statements or arguments orally or in writing at the hearing on the proposed changes under consideration. The written comment period commences on **August 28, 2015**, and closes at 5:00 p.m. on **October 15, 2015**. Comments received after that deadline will not be considered by the Board unless the Board announces an extension of time in which to submit written comments. Written comments are to be submitted as follows:

By mail to Sarah Money, Occupational Safety and Health Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833; or  
By fax at (916) 274-5743; or  
By e-mail sent to [oshsb@dir.ca.gov](mailto:oshsb@dir.ca.gov).

AUTHORITY AND REFERENCE

Labor Code Section 142.3 establishes the Board as the only agency in the State authorized to adopt occupational safety and health standards. In addition, Labor Code Section 142.3 requires the adoption of occupational and health standards that are at least as effective as federal occupational safety and health standards.

INFORMATIVE DIGEST OF PROPOSED ACTION/POLICY STATEMENT OVERVIEW

The Occupational Safety and Health Standards Board (Board) intends to adopt the proposed rulemak-

ing action pursuant to Labor Code Section 142.3, which mandates the Board to adopt regulations at least as effective as federal regulations addressing occupational safety and health issues.

The U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) promulgated regulations addressing Confined Spaces in Construction; Final Rule, on May 4, 2015, as 29 Code of Federal Regulations, Part 1926, Sections 1926.1200 through 1926.1213. The Board is relying on the explanation of the provisions of the federal regulations in Federal Register, Volume 80, No. 85, pages 25366–25526, May 4, 2015, as the justification for the Board’s proposed rulemaking action. The Board proposes to adopt regulations which are the same as the federal regulation except for editorial and format differences.

The proposed regulations establish requirements for work in confined spaces at construction sites. The proposed regulations require employers performing work at construction sites to identify confined spaces, notify the “Host Employer” and/or the “Controlling Employer” of the confined spaces identified, and to determine whether entry into the confined space by their employees is necessary. The proposed regulations would require employers whose employees are required to enter a confined space to establish a written confined space program and implement the provisions within the proposed regulations.

The proposed regulations are substantially the same as the final rule promulgated by Federal OSHA. Therefore, Labor Code Section 142.3(a)(3) exempts the Board from the provisions of Article 5 (commencing with Section 11346) and Article 6 (commencing with Section 11349) of Chapter 3.5, Part 1, Division 3 of Title 2 of the Government Code when adopting a standard substantially the same as a federal standard; however, the Board is still providing a comment period and will convene a public hearing. The primary purpose of the written and oral comments at the public hearing is to: 1) identify any clear and compelling reasons for California to deviate from the federal standard; 2) identify any issues unique to California related to this proposal which should be addressed in this rulemaking and/or a subsequent rulemaking; and, 3) solicit comments on the proposed effective date. The responses to comments will be available in a rulemaking file on this matter and will be limited to the above areas.

The regulations may be adopted without further notice even though modifications may be made to the original proposal in response to public comments or at the Board’s discretion.

This proposed rulemaking action is not inconsistent or incompatible with existing state regulations. This proposal is part of a system of occupational safety and health regulations. The consistency and compatibility

of that system’s component regulations is provided by such things as: (1) the requirement of the federal government and the Labor Code to the effect that the State regulations be at least as effective as their federal counterparts, and (2) the requirement that all state occupational safety and health rulemaking be channeled through a single entity (the Standards Board).

#### DOCUMENTS RELIED UPON

1. Federal Register, Vol. 80, No. 85, pp. 25366–25526, May 4, 2015.

This document is available online at the Government Publishing Office website: <http://www.gpo.gov/fdsys/pkg/FR-2015-05-04/pdf/2015-08843.pdf>.

2. Bureau of Economic Analysis — California’s Percentage of the US Gross Domestic Product (GDP) for the Construction Industry in 2013.

This document is available online at the Bureau of Economic Analysis website: <http://www.bea.gov/iTable/print.cfm?fid=57CE62226D6116E07C5FB C7799DB810B743A22B1C25AC67 F9098579552CD5DB81851DAA3A6C356 F9959955749AF56E8B175F12EB6F8BEECAA493 BD60F04338FA>.

These documents are available for review Monday through Friday from 8:00 a.m. to 4:30 p.m. at the Standards Board Office located at 2520 Venture Oaks Way, Suite 350, Sacramento, California.

#### COST ESTIMATES OF PROPOSED ACTION

Federal OSHA’s estimate of compliance costs are found at Federal Register, Vol. 80, No. 85, May 4, 2015, starting on page 25455. Federal OSHA’s review projects an annualized cost of \$60.3 million, while providing \$93.6 million in monetized benefits. The net annual monetized benefit is \$33.3 million. Based on estimates from the Federal Bureau of Economic Analysis, California’s construction sector is 11.5% of the Federal GDP for the construction sector. California’s projected annualized cost is \$6.93 million, with an annual monetized benefit of \$10.8 million. The total net annualized monetized benefit is \$3.87 million.

#### DETERMINATION OF MANDATE

The Occupational Safety and Health Standards Board has determined that the proposed standards do not impose a local mandate. There are no costs to any local government or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630.

**SMALL BUSINESS DETERMINATION**

The Board has determined that the proposed amendments may affect small businesses. However, no economic impact is anticipated.

**CONTACT PERSONS**

Inquiries regarding this proposed regulatory action may be directed to Marley Hart (Executive Officer) and the back-up contact person is Michael Manieri (Principal Safety Engineer) at the Occupational Safety and Health Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, CA 95833; (916) 274-5721.

**AVAILABILITY OF TEXT OF THE PROPOSED REGULATIONS AND RULEMAKING FILE**

The Board will have the entire rulemaking file, and all information that provides the basis for the proposed regulations available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, supporting documents, or other information upon which the rulemaking is based. Copies may be obtained by contacting Ms. Hart or Mr. Manieri at the address or telephone number listed above.

**AVAILABILITY OF CHANGED OR MODIFIED TEXT**

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations without further notice even though modifications may be made to the original proposal in response to public comments or at the Board's discretion.

**AVAILABILITY OF THE MEMORANDUM TO THE STANDARDS BOARD MEMBERS**

Upon its completion, copies of the Memorandum may be obtained by contacting Ms. Hart or Mr. Manieri at the address or telephone number listed above or via the internet.

**AVAILABILITY OF DOCUMENTS ON THE INTERNET**

The Board will have rulemaking documents available for inspection throughout the rulemaking process

on its website. Copies of the text of the regulations in an underline/strikeout format and the Notice of Proposed Action can be accessed through the Standards Board's website at <http://www.dir.ca.gov/oshsb>.

**TITLE 14. DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

**NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CAL FIRE)**

NOTICE IS HEREBY GIVEN that the California Department of Forestry and Fire Protection (CAL FIRE), pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its Conflict-of-Interest Code. All inquiries should be directed to the contact listed below.

CAL FIRE proposes to amend its Conflict-of-Interest Code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the Conflict-of-Interest Code include the removal of positions determined not to require reporting, the addition of positions determined to require reporting, the revision of the disclosure categories, the reassignment of some filers to alternative disclosure categories, and other technical changes.

The proposed amendment and explanation of the reasons can be obtained from the agency's contact.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than Tuesday, October 13, 2015, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than Monday, September 28, 2015.

CAL FIRE has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.

5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

Toby McCartt, Staff Counsel  
 Physical: 1416 9<sup>th</sup> St., Room 1516–21  
 Sacramento, CA 95814  
 Mailing: P.O. Box 944246  
 Sacramento, CA 94244–2460  
 Email: [toby.mccartt@fire.ca.gov](mailto:toby.mccartt@fire.ca.gov)  
 Tel: 916.657.0561

## TITLE 14. FISH AND GAME COMMISSION

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 200, 202, 205(c), 220, 240, 1590, 1591, 2860, 2861 and 6750 of the Fish and Game Code, and Sections 36725(a) and 36725(e) of the Public Resources Code; and to implement, interpret or make specific Sections 200, 202, 205(c), 220, 240, 2861, 5521, 6653, 8420(e) and 8500 of the Fish and Game Code, and Sections 36700(e), 36710(e), 36725(a) and 36725(e) of the Public Resources Code, proposes to amend Section 632, Title 14, California Code of Regulations (CCR), relating to marine protected areas.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Marine Life Protection Act (Fish and Game Code Sections 2850–2863) established a programmatic

framework for designating Marine Protected Areas (MPAs) in the form of a statewide network. The Marine Managed Areas Improvement Act (Public Resources Code [PRC] Sections 36600–36900) standardized the designation of marine managed areas (MMAs), which include MPAs. The overriding goal of these acts is to protect, conserve, and help sustain California’s valuable marine resources. Unlike previous laws, which focused on individual species, these acts focus on maintaining the health of marine ecosystems and natural biodiversity in order to sustain resources.

Existing regulations in Section 632, Title 14, CCR, provide general provisions, definitions, and site-specific area classifications, boundary descriptions, commercial and recreational take restrictions, and other restricted/allowed uses for MPAs, MMAs and special closures.

The proposed regulatory changes will clarify the allowed and prohibited uses for all MMA designations; amend aquaculture activities for two MMAs; and amend troll gear references for ten MMAs. In addition, the proposed regulations change the designation of one MMA; change the names of 21 MMAs; and refine boundary coordinates for 106 MMAs.

The following is a summary of the proposed changes to Section 632, Title 14, CCR.

Amendment to Subsection 632(a):

1. The proposed regulations add a citation to the statute (Public Resources Code Section 36710) which established the MMA definitions in subsection 632(a)(1).

Amendments to Subsection 632(b):

1. The proposed regulations clarify regulatory language, correct existing errors, and update allowable activities within MMAs.
  - a. The proposed regulation replaces the existing text with new text, as follows:

Area	Existing text	New text
State Marine Reserve (SMR)	"Take of all living marine resources is prohibited"	"Area restrictions defined in subsection 632(a)(1)(A) apply"
State Marine Park	"Take of all living marine resources is prohibited except..."	"Area restrictions defined in subsection 632(a)(1)(B) apply with the following specified exceptions..."
State Marine Conservation Area (SMCA)		"Area restrictions defined in subsection 632(a)(1)(C) apply with the following specified exceptions..."
State Marine Recreational Management Area (SMRMA)	"Take of all living marine resources is prohibited"	"Area Restrictions defined in subsection 632(a)(1)(D) apply"
	OR "Take of all living marine resources is prohibited except..."	OR "Area restrictions defined in subsection 632(a)(1)(D) apply with the following specified exceptions..."

- b. The proposed regulations restructure the regulatory text for MacKerricher SMCA, subsection 632(b)(22)(B), Russian Gulch SMCA, subsection 632(b)(24)(B), Van Damme SMCA, subsection 632(b)(26)(B), and Arrow Point to Lion Head Point (Catalina Island) SMCA, subsection 632(b)(123)(B), in order for their activities language to resemble the remaining MMA descriptions, listing allowable activities instead of prohibited activities.
  - c. The proposed regulations add the text "is allowed" to the current regulatory text for 41 MMAs.
  - d. The proposed regulations delete the allowance for aquaculture in Drakes Estero SMCA, subsection 632(b)(47)(B).
  - e. The proposed regulations amend the current species list for aquaculture within Morro Bay SMRMA, subsection 632(b)(91)(C), to be dependent upon lease conditions rather than a designated list of species.
  - f. The proposed regulations replace obsolete salmon troll gear reference with the current salmon troll gear reference for nine MMAs.
  - g. The proposed regulations delete the obsolete pelagic finfish troll gear reference from Bodega Head SMCA, subsection 632(b)(40)(B).
  - h. The proposed regulations remove commercial harvest of kelp as an allowed activity in Año Nuevo SMCA, subsection 632(b)(67), and redesignate this SMCA as an SMR.
  - i. The proposed regulations simplify the names of 21 MMAs by striking the parenthesized text which identifies the geographic location of a given MMA.
  - j. The proposed regulations amend text for Point Lobos SMCA, subsection 632(b)(82), and Big Creek SMCA, subsection 632(b)(86), to clarify that albacore may be taken both recreationally and commercially.
2. The proposed regulations improve boundary accuracy and ease of enforcement for numerous MMAs.
    - a. The proposed regulations add a third decimal place to the current coordinates for 76 MMAs and eight special closures.
    - b. The proposed regulations move one or more of the existing coordinates toward an intended point of reference, such as a headland, bridge or mean high tide line, for 61 MMAs and three special closures.
    - c. The proposed regulations delete text pertaining to the mean high tide line for Carmel Pinnacles SMR, subsection 632(b)(79)(A), Point Sur SMCA, subsection 632(b)(84)(A), and Piedras Blancas, SMCA 632(b)(88)(A).
    - d. The proposed regulations replace the sole coordinate boundary at Goleta Slough SMCA, subsection 632(b)(100)(A), with the mean high tide line.

- e. The proposed regulations move the shared boundary between the Laguna Beach SMR, subsection 632(b)(134)(A), and Laguna Beach no-take SMCA, subsection 632(b)(135)(A), south to the city beach/county beach line near Aliso Creek.
  - f. The proposed regulations anchor coordinates for 25 MMAs to the current National Oceanic and Atmospheric Administration's three nautical mile state line.
  - g. The proposed regulations add one or two positions to the list of coordinates for eight MMAs.
3. The proposed regulations correct a printing error in subsection 632(b)(120)(B)1., Abalone Cove SMCA, and make other nonsubstantive changes for clarity and consistency.

The proposed amendments to section 632 will clarify the restrictions and allowable activities in these MMAs; provide greater ease of public understanding and enforceability; and correct boundary descriptions.

The proposed regulations are consistent with regulations concerning sport and commercial fishing and kelp harvest found in Title 14, CCR. The State Water Resources Control Board may designate State Water Quality Protection Areas and the State Park and Recreation Commission may designate State Marine Reserves, State Marine Conservation Areas, State Marine Recreational Management Areas, State Marine Parks and State Marine Cultural Preservation Areas; however, only the Fish and Game Commission has authority to regulate commercial and recreational fishing and any other taking of marine species in Marine Managed Areas. Department staff has searched the California Code of Regulations and has found no other regulations pertaining to authorized activities in marine protected areas and therefore has determined that the proposed amendments are neither inconsistent, nor incompatible, with existing state regulations.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Embassy Suites — LAX North, 9801 Airport Boulevard, Los Angeles, California, on Wednesday, October 7, 2015, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Town and Country Resort & Convention Center, 500 Hotel Circle North, San Diego, California, on Wednesday, December 9, 2015, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before November 24, 2015 at the address given below, or by email

to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). Written comments mailed, or emailed to the Commission office, must be received before 12:00 noon on December 4, 2015. All comments must be received no later than December 9, 2015, at the hearing in San Diego, California. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~–underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244–2090, phone (916) 653–4899. Please direct requests for the above–mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Sherrie Fonbuena at the preceding address or phone number. **Ms. Amanda Van Diggelen, Environmental Scientist, Department of Fish and Wildlife, (562) 342–7176 or [Amanda.VanDiggelen@wildlife.ca.gov](mailto:Amanda.VanDiggelen@wildlife.ca.gov), has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

#### AVAILABILITY OF MODIFIED TEXT

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

#### IMPACT OF REGULATORY ACTION/RESULTS OF THE ECONOMIC IMPACT ANALYSIS

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed 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 because the proposed amendments make clarification and consistency changes to the current regulations; make minor boundary adjustments; re-designate and rename existing MMAs; and add specified methods of take consistent with existing commercial fishing regulations.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State’s Environment:

The Commission does not anticipate any impacts on creation or elimination of jobs, the creation of new businesses, the elimination of existing businesses or the expansion of businesses in California because these changes will neither increase nor decrease recreational or commercial fishing opportunities within MMAs.

The Commission does not anticipate any benefits to the health and welfare of California residents or to worker safety.

The proposed amendments may benefit the environment by clarifying the administration of the protection of habitat and biodiversity in MMAs.

- (c) Cost Impacts on a Representative Private Person or Business:

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

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

**EFFECT ON SMALL BUSINESS**

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code Sections 11342.580 and 11346.2(a)(1).

**CONSIDERATION OF ALTERNATIVES**

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, 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 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.

**TITLE 16. BOARD OF BARBERING AND COSMETOLOGY**

NOTICE IS HEREBY GIVEN that the Board of Barbering and Cosmetology (hereinafter “the Board”) 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 from 10 a.m.–12 p.m. on October 14, 2015 in the Sequoia Room at the Board’s offices at 2420 Del Paso Road, Sacramento, California, 95834. 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 Board at its offices not later than 5:00 p.m. on October 14, 2015 or must be received by the Board at the hearing. 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 Section 7312 of the Business and Professions Code, and to implement, interpret or make specific Section 7319(e) of said Code, the Board is considering changes to Division 9 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST

A. Informative Digest

Adopt Section 965.1 of the California Code of Regulations.

Business and Professions Code Section 7312 authorizes the Board to “make rules and regulations in aid or furtherance” of Chapter 10 of Division 3 of the Business and Professions Code, also known as the Barbering and Cosmetology Act. Business and Professions Code Section 7319(e) exempts from licensing “persons engaged in the administration of hair, skin or nail products for the exclusive purpose of recommending, demonstrating, or selling those products.” The Board is seeking to define the term “demonstrating” in regulation.

B. Policy Statement Overview/Anticipated Benefits of Proposal

By specifically defining what is meant by “demonstrating” in Section 7319(e), the Board will be better able to determine if an individual performing a particular service should be licensed by the Board of Barbering and Cosmetology. This in turn protects consumers by helping to ensure that professionals who should be licensed are in fact licensed.

C. Consistency and Compatibility with Existing State Regulations

After conducting a review for any regulations that would relate to or affect this area, the Board has evaluated this regulatory proposal and it is not inconsistent or incompatible 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: There is no fiscal impact associated with this regulatory proposal, which only seeks to make specific a term used in state law.

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 board 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.

Cost Impact on Representative Private Person or Business:

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 the proposed regulation will not affect small businesses because it only defines a term that already exists in California law.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The Board has determined that this regulatory proposal will not have an 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 Regulation:

The Board has determined that this regulatory proposal will help protect the health and safety of consumers by making it easier for the Board to determine if an individual should be licensed by the Board.

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 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 Board 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 Contact Person named below.

**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 rulemaking action may be addressed to:

Name: Kevin Flanagan  
Address: 2420 Del Paso Road, Suite 100  
Sacramento, CA 95834  
Telephone No.: (916) 575-7100  
Fax No.: (916) 928-6810  
E-Mail  
Address: Kevin.Flanagan@dca.ca.gov

The backup contact person is:

Name: Patricia Garcia  
Address: 2420 Del Paso Road, Suite 100  
Sacramento, CA 95834  
Telephone No.: (916) 575-7100  
Fax No.: (916) 928-6810  
E-Mail  
Address: Patricia.Garcia@dca.ca.gov

Website Access: Materials regarding this proposal can be found at [http://www.barbercosmo.ca.gov/laws\\_regs/prop\\_regs.shtml](http://www.barbercosmo.ca.gov/laws_regs/prop_regs.shtml).

**TITLE 16. PROFESSIONAL FIDUCIARIES BUREAU**

**Department of Consumer Affairs**

NOTICE IS HEREBY GIVEN that the Professional Fiduciaries Bureau (Bureau) of the Department of Consumer Affairs 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:

Professional Fiduciaries Bureau  
1625 North Market Boulevard  
1st Floor Hearing Room  
Sacramento, CA 95834  
Tuesday, October 13, 2015  
10:30–11:30 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 Bureau at its office not later than **5:00 p.m. on Tuesday, October 13, 2015** or must be received by the Bureau at the hearing. The Bureau, 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 138 and 6517 of the Business and Professions Code, and to implement, interpret or make specific Sections 6515, 6516, 6520, 6530, 6532 and 6533 of said Code, the Bureau is considering changes to Division 41 of Title 16 of the California Code of Regulations as follows:

**INFORMATIVE DIGEST**

**A. Informative Digest**

Adopt Article 12 Section 4640 of Title 16 of the California Code of Regulations

The Professional Fiduciaries Bureau (Bureau) was created by legislation enacted in 2007 (SB 1550, Figueroa, Chapter 491, Statutes of 2006) to regulate non-family member Professional Fiduciaries, including conservators, guardians, trustees, and agents under durable power of attorney as defined by the Professional Fiduciaries Act (Business and Professions (B & P) Code § 6500 et seq.). The Bureau is under the authority of the Department of Consumer Affairs and is responsible for licensing and regulating Professional Fiduciaries under the Professional Fiduciaries Act. Professional Fiduciaries provide critical services to seniors, persons with disabilities, and minors. They manage matters for clients including daily care, housing and medical needs, and also offer financial management services ranging from basic bill paying to estate and investment management.

Existing law, B&P Code § 138, requires every board in the Department, as defined in B&P Code section 22, to initiate the process of adopting regulations that require its licensees to provide notice to their clients or customers that the practitioner is licensed by this State. Notifying consumers that a professional is licensed by the State is a basic element of consumer protection. Knowing they can turn to an agency for questions or to file a complaint about the practitioner proves to be good customer service.

**B. Policy Statement Overview/Anticipated Benefits of Proposal**

This proposed regulation would require all Professional Fiduciaries licensed by the Bureau to disclose that they are licensed by the Bureau in accordance with the California Code of Regulations, Sections 4400–4622, to ensure that all California consumers are protected from unlicensed activity, and to provide all California consumers the ability to verify the validity of a license prior to acquiring the services of Professional Fiduciaries legally authorized to practice in the State of California.

**C. Consistency and Compatibility with Existing State Regulations**

During the process of developing these regulations and amendments, the Bureau 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** (if applicable)

N/A

**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 Bureau 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.

Although many businesses will be required to comply, the economic impact will be negligible to the li-

ensee. Licensees would be required to post a sign in his/her place of business, using language which will be available on the Bureau’s Website; provide written notice to be signed by the client and retained in the client’s file, and if the fiduciary maintains a Website, include the notice on his/ her Website. Notice will be provided to both existing and prospective clients.

**AND**

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

During the process of developing these regulations, the Bureau 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.

**Cost Impact on Representative Private Person or Business:**

The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to the Bureau are:

This proposed regulation requires Licensees to notify their clients or their client’s legal representatives, that they are licensed and regulated by the Professional Fiduciaries Bureau and to provide the Bureau’s contact information. Professional Fiduciaries will provide the notice by all of the following three options: post a sign in his/her place of business, provide written notice to be signed by the client and retained in client’s file, and if the fiduciary maintains a Website, include the notice on his/her Website.

Professional Fiduciaries would implement the first requirement of this regulation via posting a sign in a visible place, such as a reception/check-in area or waiting room at their place of business. The most “professional” way to achieve this would be for a Professional Fiduciary to print the sign on a laser jet printer (less than \$0.05 per page) and then buy a simple black plastic “document” frame (estimated to cost \$4.50 at an office supply store). Thus, per office, the cost would be less than \$5.00 to implement this method. The second method will be implemented by drafting a letter (less than \$0.05 per page) on the licensee’s letterhead with the notice language. The letter would be signed by the client and retained in the client’s records. The notice shall be signed and dated by the client and retained in the client’s records. If the client is a minor or deemed mentally or physically incapacitated, or has a court representative, or is represented by an attorney of law, a copy of the notice shall be mailed to the client’s legal representative, court appointed representative, and/or attorney’s address of record. If the letter is mailed to the client or client’s representative cost would increase by envelope

cost (estimated at \$0.05 per envelope) and postage cost (\$0.49 per stamp). The final method would be implemented by updating the licensee's Website with the notification language. The cost for this method is estimated at a one-time fee which may range from \$0 to \$25.

The total sum of the above estimated expenses per licensee would be minor and absorbable.

Effect on Housing Costs: None.

#### EFFECT ON SMALL BUSINESS

The Bureau has determined that the proposed regulations would not affect small businesses.

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

Although all Professional Fiduciaries will be required to comply, the economic impact will be negligible. Professional Fiduciaries would be required to provide notice by all of the following three options: post a sign in his/her place of business, using language which will be available on the Bureau's Website; provide written notice to be signed by the client and retained in client's file, and if the client maintains a Website, include the notice on his/her Website.

#### RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

##### Impact on Jobs/Businesses:

The Bureau has determined that this regulatory proposal will not have any 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 Regulation:

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

Business and Professions Code section 6516 states that the "Protection of the public shall be the highest priority for the Bureau in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount." This proposal is consistent with the Bureau's priority of protecting the public. An informed consumer is in a better position to make a rea-

soned choice relating to fiduciary services. Additionally, an informed consumer would be able to assist the Bureau in regulating the Professional Fiduciary industry via the Bureau's complaint process, should a problem arise. Consumers are often unaware of the existence and role of the Bureau or the public services it offers, e.g., license verifications, statutes and regulations, or the complaint process. If consumers do not know that they can contact the Bureau when an issue with a licensee arises or where to seek information about a licensee, then the Bureau's effectiveness is hampered and its priority of public protection is compromised. The adoption of this proposal will promote better communication with the public regarding the Bureau's contact information and purpose. The notice would also promote transparency in both government and the profession by making information regarding license status and the State's responsibility to regulate the profession easily available to the public.

#### CONSIDERATION OF ALTERNATIVES

The Bureau must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention 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 Bureau 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 Professional Fiduciaries Bureau at 1625 N. Market Blvd., Ste. S-209, Sacramento, California 95834.

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 rulemaking action may be addressed to:

Name: Julia G. Ansel  
Address: 1625 North Market Blvd.,  
Suite S-209  
Sacramento, CA 95834  
Telephone No.: (916) 574-7340  
Fax No.: (916) 574-8645  
E-Mail  
Address: [fiduciary@dca.ca.gov](mailto:fiduciary@dca.ca.gov)

The backup contact person is:

Name: Angela Bigelow  
Address: 1625 North Market Blvd.,  
Suite S-209  
Sacramento, CA 95834  
Telephone No.: (916) 574-7340  
Fax No.: (916) 574-8645  
E-Mail  
Address: [fiduciary@dca.ca.gov](mailto:fiduciary@dca.ca.gov)

Website Access: Materials regarding this proposal can be found at [www.fiduciary.ca.gov](http://www.fiduciary.ca.gov).

**TITLE 22. DEPARTMENT OF HEALTH  
CARE SERVICES**

**NOTICE OF RULEMAKING AFTER  
EMERGENCY ADOPTION  
SUBJECT: DRUG MEDI-CAL/PROVIDER  
ENROLLMENT, 14-009E**

**NOTICE IS HEREBY GIVEN** that the Department of Health Care Services (Department) has adopted the regulations in California Code of Regulations (CCR), Title 22, Division 3, Chapter 3, Sections 51000, 51000.7, 51000.9.5, 51000.15.5, 51000.20, 51000.24.3, 51000.24.4, 51000.24.4.1, 51000.24.5,

51000.24.8, 51000.30, 51000.31, 51000.35, 51000.40, 51000.45, 51000.60, 51000.70, 51000.75, 51051, and 51341.1 on an emergency basis. These emergency regulations became effective on August 17, 2015, and will remain in effect for a period of 180 days. The purpose of this rulemaking is to adopt the emergency regulations on a permanent basis.

PUBLIC HEARING

The Department will conduct a public hearing during which time any interested person or his or her duly authorized representative may present statements or arguments relevant to the regulatory action described in this notice. The hearing will be held as follows:

Date: October 16, 2015  
Time: 10:00 a.m.  
Location: Training Room A,  
1500 Capitol Avenue,  
Sacramento, CA 95814

At the public hearing, attendees wishing to speak will be heard on a first-come, first-served basis. Speakers may be limited to ten minutes or less, depending on the number of attendees requesting to speak. The hearing will close after all attendees present and desiring to speak have provided their testimony, or at 5:00 p.m., whichever comes first. Comments will not be discussed or debated by the Department, nor will speakers be cross-examined. A certified court reporter will be present to record the proceedings. Written comments may be submitted for the record at the public hearing.

WRITTEN COMMENT PERIOD

Any interested person or his or her duly authorized representative may submit written comments to the Department relevant to the regulatory action described in this notice.

Please label any comments as pertaining to Drug Medi-Cal/Provider Enrollment, DHCS-14-009E and submit using any of the following methods:

Mail Delivery: Department of Health Care  
Services  
Office of Regulations, MS 0015  
P.O. Box 997413  
Sacramento, CA 95899-7413

Hand Delivery: Department of Health Care  
Services  
Office of Regulations  
1501 Capitol Avenue, Suite 5084  
Sacramento, CA 95814

FAX: (916) 440-5748  
Email: [regulations@dhcs.ca.gov](mailto:regulations@dhcs.ca.gov)

The written comment period closes at 5:00 p.m. on October 16, 2015. Any written comments, regardless of the method of transmittal must be received by the Office of Regulations by 5:00 p.m. on this date, for consideration.

Written comments should include the author's contact information so the Department can provide notification of any further changes to the regulation proposal.

The Department shall consider all comments received regarding the proposal equally, whether submitted in writing or through oral testimony at a public hearing.

#### AUTHORITY AND REFERENCE

These regulations are being proposed under the following:

##### AUTHORITY

Section 20, Health and Safety Code; and Sections 10725, 14015, 14021, 14021.3, 14021.30, 14021.5, 14021.51, 14021.6, 14043.37, 14043.4, 14043.45, 14043.47(c), 14043.75, 14100.1, 14124.1, 14124.24, 14124.26 and 14124.5, Welfare and Institutions Code; Section 700, Insurance Code; Statutes of 2011, Chapter 32, and Statutes of 2012, Chapter 36.

##### REFERENCE

Section 1206, Business and Professions Code; Section 1250(k), Health and Safety Code; Sections 14021, 14021.3, 14021.5, 14021.6, 14021.33, 14021.51, 14043, 14043.1, 14043.15, 14043.2, 14043.25, 14043.26, 14043.27, 14043.29, 14043.36, 14043.37, 14043.4, 14043.45, 14043.6, 14043.62, 14043.65, 14043.7, 14043.75, 14053, 14100.1, 14105, 14105.3, 14107, 14107.11, 14115.6, 14123.25(a), 14124.1, 14124.2, 14124.20, 14124.21, 14124.24, 14124.25, 14124.26, 14124.5, 14125.8, 14131, 14132, 14132.21, 14132.39, 14132.4, 14132.44, 14132.905, 14133, 14133.1, and 14134.5, Welfare and Institutions Code; Title 42, U.S.C., Sections 1320a-3, 1320a-7, 1396a(a)(38), and 1396b(i)(2); Title 42, Code of Federal Regulations, Parts 431 and 455; Title 45, Code of Federal Regulations, Sections 162.408 and 162.412; Section 33, Chapter 456, Statutes of 1990; Title 42 United States Code, Section 263a; Sections 436.122, 456.21, 456.22 and 456.23, Title 42, Code of Federal Regulations; Statutes of 1996, Chapter 162, Items 4200-101-0001 and 4200-102-0001; and Statutes of 2011, Chapter 32, and Statutes of 2012, Chapter 36.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department's mission is to provide Californians with access to affordable high-quality health care, including medical, dental, mental health, substance use treatment services, and long-term care. In support of this mission, the Department administers and oversees many health care programs, including the recently absorbed Drug Medi-Cal (DMC) program.

The DMC program directs statewide prevention and treatment programs that address the use and abuse of alcohol and other drugs (AOD). Its core function is to provide medically necessary substance use disorder treatment services to Medi-Cal eligible beneficiaries. Substance use disorder treatment services include outpatient drug-free group and individual counseling, residential services for pregnant and postpartum women, and medication services for opiate addicted beneficiaries.

##### Statement of Purpose and Rationale Being Addressed

Assembly Bill (AB) 106 (Chapter 32, Statutes of 2011) transferred California's DMC program from the Department of Alcohol and Drug Programs (ADP) to the Department effective July 1, 2012. The transfer of the DMC program from ADP to the Department was part of a consolidation effort.

In addition, AB 75 (Committee on Budget, Chapter 22, Statutes of 2013) approved the transfer of the remaining substance use disorder ADP programs and staff to the Department and the Department of Public Health effective July 1, 2013. Since that time, the Department has worked diligently to address fraud, waste, and abuse in the DMC program and has been taking sustainable steps toward resolving fraud-related issues affecting the DMC program. In July 2013, the Department began performing field reviews of DMC providers suspected of committing fraud and abuse. See Department news release entitled, "DHCS Tightens Oversight of Drug Medi-Cal Centers," July 18, 2013, available at: <http://www.dhcs.ca.gov/formsandpubs/publications/opa/Documents/2013/13-07DHCS-DMC7-18-13.pdf>.

As a continuation of the Department's internal Business Process Reengineering efforts that began in early 2012, to ensure a smooth transition of the DMC program to the Department, the Department's Audits and Investigations (A&I) Division worked collaboratively with management and staff to perform a "top-to-bottom" assessment and "gap analysis" of the DMC program. Based on the review conducted, A&I prepared a report entitled, "Drug Medi-Cal Program Limited Scope Review," November 2013, that outlines programmatic issues in the DMC program, available at:

<http://www.dhcs.ca.gov/dataandstats/reports/Documents/DMCLtdScopeRvw.pdf>.

“Gaps” were defined as internal control weaknesses, inefficient or ineffective business practices and lack of sufficient statutory or regulatory authority to meet performance expectations to ensure DMC program integrity and effectively mitigate financial or legal risks to the Department. The assessment was completed on November 18, 2013, and includes 33 recommendations to effectively address and remediate all identified gaps and weaknesses in the DMC program. “Implementation Plan for Drug Medi-Cal Program Limited Scope Review,” is available at: <http://www.dhcs.ca.gov/dataandstats/reports/Documents/ImpPlanforAuditRecom.pdf>.

Furthermore, the Department initiated a continued certification review of all actively billing DMC providers to ensure current providers continue to meet DMC program requirements. As part of the continued certification effort, a total of 1,063 informational letters were mailed to active DMC billers informing them of the need to be recertified. To date, the Department has decertified 238 locations due to lack of response in complying with the continued certification review.

As of May 20, 2014, 275 providers, totaling 547 individual sites, have been visited for review. As a result of these investigations, 73 providers (about 27 percent of total providers visited) have been suspended due to a credible allegation of fraud. All of these cases have been referred to the State Department of Justice for criminal investigation and prosecution where warranted.

AB 106 transferred the administration of the DMC program to the Department, whose goal is to utilize existing Provider Enrollment statutes and regulations, Welfare and Institutions Code (WIC) Sections 14043 through 14045 and Title 22, California Code of Regulations (CCR), Division 3, used to regulate fee-for-service (FFS) Medi-Cal providers, and apply them to all DMC applicants and providers. This will better ensure public safety, DMC program integrity, as well as protect public funds, and reduce the risk of fraud and abuse in the DMC program.

In an effort to meet this goal, the Department is updating existing regulations used to regulate the FFS Medi-Cal program to accommodate the needs of the DMC provider type, including added enrollment criteria for DMC applicants and providers. The Department’s existing enrollment authority, outlined in WIC Sections 14043 through 14045, also includes the ability to take action if noncompliance is recognized. Actions include:

- The ability to bar providers from program participation for failure to disclose required information;

- The ability to deny and deactivate for noncompliance, or failure to remediate deficient applications; and
- The ability to establish enrollment criteria through provider bulletin.

The Department’s existing regulations and statutes also ensure provider integrity and accountability by requiring that DMC providers meet minimum application requirements and provide evidence of an established place of business. Such application requirements include:

- A complete provider agreement;
- Verifications such as general liability insurance, worker’s compensation insurance, and a business license;
- Notarization of the representative’s signature on the DMC application; and
- A complete and accurate disclosure statement listing all owners and managing employees.

Regulation amendments and adoptions are methods and criteria for identifying fraud, waste, and abuse as required pursuant to Title 42, Code of Federal Regulations, Section 455.13(a). These regulations amend and establish new enrollment criteria and will serve as a means for the Department to verify that providers are practicing lawfully and maintaining high standards of care. Therefore, businesses practicing in accordance with State and local laws and ordinances will not be impacted adversely.

This emergency regulatory action is authorized by and implements WIC Section 14043.75. The purpose of Section 14043.75 is to authorize the Department to take steps to prevent and curtail provider fraud and abuse through the adoption of regulations. The Department anticipates that the proposed regulatory amendments will enhance the fiscal integrity of the DMC program by curtailing and preventing provider fraud and abuse. More specifically, the amendments will enhance provider accountability and the Department’s ability to enforce the requirements.

This regulatory action is also authorized by WIC Section 14124.26 and implements WIC Section 14124.24. The purpose of WIC Section 14124.24(a) and (b) is for the Department to administer delivery of the specified substance use disorder services to beneficiaries. The Department anticipates the regulatory amendments will clarify provider obligations, which should make it easier for providers to comply with DMC program requirements. In addition, the amendments will improve the effectiveness of some treatments and enhance physician oversight.

### Anticipated Benefits or Goals of the Regulations

This regulatory action will address the matter of updating and expanding the rules for enrollment in the DMC program, and put in regulation the enrollment forms that have already been adopted by the Department through provider bulletin. This proposal will directly benefit DMC providers and beneficiaries through the provision of current DMC program standards, which in turn will facilitate the delivery of these vital services. Additionally, establishing these standards and rules in regulations will accomplish the following:

- Assist in preventing fraud, waste, and abuse;
- Improve access to alcohol and drug treatment services for beneficiaries, including a focus on recovery and rehabilitative services;
- Improve access to high-quality care;
- Safeguard public funds;
- Increase openness and transparency in business and government; and
- Protect the health, welfare, and safety of California residents.

These regulations not only meet the goals of the authorizing statutes, as specified above, but the regulations ensure the proper and efficient administration of the Medi-Cal program, in accordance with the federal and state laws that govern the DMC program's rules of participation and funding. Additionally, the regulations set out enrollment criteria and will serve as a means for the Department to verify that providers are practicing lawfully and maintaining high standards of care.

### Stakeholder Involvement in Preparation of the Regulations

The Department acknowledges the importance of education and outreach and has committed to engage in stakeholder meetings to introduce these regulatory changes to the affected providers. In mid-January 2015, the Department invited the DMC and FFS Medi-Cal community to the first in a series of stakeholder meetings. The invitation included the proposed amended regulation text and proposed applications, and encouraged participant feedback. On January 27, 2015, the Department held a stakeholder meeting to review the proposed amendments as well as existing authorities that govern the FFS Medi-Cal program. The goal of this initial stakeholder engagement and opportunity to comment was to introduce DMC providers to the enrollment requirements already in place for FFS Medi-Cal providers and to address how the implementation of these regulations is intended to increase DMC program

integrity and create continuity in the application process across all provider types. There was an opportunity for stakeholders to present comments to the Department following this stakeholder meeting. The Department took the limited comments received under consideration while finalizing this regulatory action.

### Consistency and Compatibility with Existing State Regulations

The Department has conducted an evaluation of the related existing state regulations under Title 22, CCR, Division 3 and Title 9, CCR, Division 4 and has determined that the regulations are consistent with and compatible with those regulations. An automated search of Title 22, CCR, Division 3 and Title 9, CCR, Division 4 using the following keywords, "Drug Medi-Cal Substance Use Disorder Services, Day Care Habilitative Services, Narcotic Treatment Program, and Postservice Postpayment Utilization Review" was conducted via Westlaw and yielded no conflicting state regulations.

### Regulatory Sections

The changes to Title 22, CCR include the adoption or amendment of the following Sections: 51000, 51000.7, 51000.9.5, 51000.15.5, 51000.20, 51000.24.3, 51000.24.4, 51000.24.4.1, 51000.24.5, 51000.24.8, 51000.30, 51000.31, 51000.35, 51000.40, 51000.45, 51000.60, 51000.70, 51000.75, 51051, and 51341.1.

This emergency regulatory action specifically accomplishes the following:

- Adds substance use disorder medical director and physicians determining medical necessity to the definition of agent.
- Clarifies that the definition of enrolled or enrollment in the Medi-Cal program must have the same meaning as Drug Medi-Cal certification for substance use disorder clinics.
- Defines licensed substance use disorder treatment professional.
- Defines perinatal residential substance use disorder services program.
- Clarifies, for substance use disorder clinics that provider number means national provider identifier (NPI) number.
- Defines a substance use disorder clinic.
- Defines a substance use disorder medical director.
- Defines a substance use disorder nonphysician medical practitioner.
- Defines a substance use disorder treatment professional.
- Defines substance use disorder treatment services.

- Adopts and incorporates by reference the “Drug Medi-Cal Substance Use Disorder Clinic Application,” DHCS 6001 (Rev. 12/14), “Drug Medi-Cal Provider Agreement,” DHCS 6009 (Rev. 12/14) and the “Drug Medi-Cal Substance Use Disorder Medical Director/Licensed Substance Use Disorder Treatment Professional/Substance Use Disorder Nonphysician Medical Practitioner Application/Agreement/Disclosure Statement,” DHCS 6010 (Rev. 12/14) forms.
- Amends forms currently incorporated by reference including the: “Medi-Cal Disclosure Statement,” DHCS 6207 (Rev. 2/15), the “Medi-Cal Supplemental Changes,” DHCS 6209 (Rev. 12/14) and the “Medi-Cal Rendering Provider Application/Disclosure Statement/Agreement for Physician/Allied/Dental Providers,” DHCS 6216 (Rev. 2/15) forms.
- Adds the “Drug Medi-Cal Substance Use Disorder Clinic Application,” DHCS 6001 (Rev. 12/14) and the “Drug Medi-Cal Substance Use Disorder Medical Director/Licensed Substance Use Disorder Treatment Professional/Substance Use Disorder Nonphysician Medical Practitioner Application/Agreement/Disclosure Statement,” DHCS 6010 (Rev. 12/14) to the application/enrollment criteria.
- Adds the requirement for the substance use disorder medical director, licensed substance use disorder treatment professional, and substance use disorder nonphysician medical practitioner to disclose mandatory information on the “Drug Medi-Cal Substance Use Disorder Medical Director/Licensed Substance Use Disorder Treatment Professional/Substance Use Disorder Nonphysician Medical Practitioner Application/Agreement/Disclosure Statement,” DHCS 6010 (Rev. 12/14).
- Specifies when a substance use disorder clinic must use the “Medi-Cal Supplemental Changes,” DHCS 6209 (Rev. 12/14) form.
- Requires the substance use disorder clinic to submit the “Drug Medi-Cal Provider Agreement,” DHCS 6009 (Rev. 12/14) or the “Drug Medi-Cal Substance Use Disorder Medical Director/Licensed Substance Use Disorder Treatment Professional/Substance Use Disorder Nonphysician Medical Practitioner Application/Agreement/Disclosure Statement,” DHCS 6010 (Rev. 12/14) if the applicant or provider is a substance use disorder medical director, licensed substance use disorder treatment professional, or substance use disorder nonphysician medical practitioner.
- Adds exemptions for substance use disorder clinics that will not be able to meet all established place of business requirements due to the nature of services they provide.
- Establishes DMC program requirements and duties specific to the substance use disorder medical director.
- Establishes program requirements specific to licensed substance use disorder treatment professionals and substance use disorder nonphysician medical practitioners.
- Adds substance use disorder clinics, substance use disorder medical directors, licensed substance use disorder treatment professionals, and substance use disorder nonphysician medical practitioners to the definition of provider.
- Sets forth in regulation the currently existing versions of the provider enrollment forms that were previously amended by the Department through Provider Bulletin pursuant to WIC Section 14043.75. As noted on the forms, the updated forms are applicable to the DMC program as well as other Medi-Cal programs as specified.

DISCLOSURES REGARDING  
THE RULEMAKING

The Department has made the following initial determinations:

**Fiscal Impact Statement**

- A. Costs to any Local Agency or School District that is not reimbursable by the State: None.  
Costs to any Local Agency or School District that is required to be reimbursed Under Part 7 (commencing with Section 17500), Division 4 of the Government Code: None.
- B. Costs or Savings to any State Agency: Fiscal impact in FY 2015–16 of \$675,000 one-time.
- C. Costs or Savings in Federal Funding to the State: Fiscal impact in FY 2015–16 of \$725,000 one-time.
- D. Other Nondiscretionary Costs or Savings Including Revenue Changes Imposed on State or Local Governments: None.

Cost Impacts on a Representative Private Person or Business

This regulatory action will impact providers who choose to participate in the Medi-Cal program, including the DMC providers who offer substance use disorder services to beneficiaries. See below “Impact on Jobs and Businesses” for discussion related to potential cost impact for these providers.

DETERMINATIONS

Mandates on Local Agencies or School Districts

The Department has determined that the regulations would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by Part 7 (commencing with Section 17500) of Division 4 of the Government Code. County participation in the DMC program is voluntary and not all counties offer DMC services.

Significant Statewide Adverse Economic Impact Affecting Businesses

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

Results of the Economic Impact Assessment (Analysis)

In accordance with Government Code Section 11346.3(b)(1), the Department has made the following assessments and has determined that the proposed regulations would not significantly affect the following:

1. The creation or elimination of jobs in California.
2. The creation or elimination of businesses in California.
3. The expansion of businesses currently doing business in California.

Impact on Jobs and Businesses

This regulatory action will impact providers who choose to participate in the Medi-Cal program, including the DMC providers who offer substance use disorder services to beneficiaries.

The Department has made an initial determination that the requirements related to the DMC provider application process, as specified in this regulatory action, may impose additional costs ranging from approximately \$542–\$2000 per provider, per year dependent on the provider type. Substance use disorder clinics that do not qualify for an exemption, will incur an estimated \$542 application fee. The application fee is collected to offset the Department’s costs of conducting the required screening as specified in Title 42 CFR 455 Subpart E. Please reference the Medi-Cal Regulatory Provider Bulletin, “Medi-Cal Application Fee Requirements for Compliance with 42 Code of Federal Regulations Section 455.460,” for further information. Substance use disorder medical directors, substance use disorder nonphysician medical practitioners, and licensed substance use disorder treatment professionals, who are now required to apply for enrollment, may in-

cur an estimated cost of \$2000 to obtain and provide proof of Professional Liability Insurance.

These potential additional fees are considered to be a negligible cost of doing business and being a certified provider under the DMC program. For the substance disorder clinics, this nominal cost will be offset by the clinic’s opportunity to be enrolled in the DMC program and provide services to an expanded beneficiary population, for which the clinic will receive reimbursement. Therefore, these costs are not anticipated to have a significant impact on the creation or elimination of jobs, the creation of new businesses, the elimination of existing businesses or the expansion of businesses in California.

These regulations support the provision of appropriate and high quality health care services for beneficiaries, as provided by providers who are in compliance with local, county, state, and federal requirements. The regulations may have an economic impact on applicants and providers who are found to be out of compliance with current federal regulations, and state and local laws and ordinances regarding business licensing and operations. However, the Department has determined that the regulations will offset any potential and negligible economic impacts by protecting public funds and supporting the development of highly qualified Medi-Cal providers rendering valued services to beneficiaries.

In addition, the regulations will eliminate existing unlawful or potentially fraudulent providers by excluding them from participation in the Medi-Cal program for fraud, waste, abuse, failure to meet program requirements, or failure to disclose required information.

Benefits of the Proposed Regulation

The Department has determined that the regulations would not specifically affect worker safety or the state’s environment. However, the regulations will benefit the health and welfare of California residents by maintaining the continuity of the Medi-Cal program through the provision of quality health care services (including DMC program services) to beneficiaries. These regulations will also ensure public safety, Medi-Cal and DMC program integrity, as well as protect public funds, and reduce fraud and abuse under the Medi-Cal program.

Effect on Small Businesses

The Department has determined that the regulations would only affect small businesses that choose to provide services under the Medi-Cal program, including those that provide substance use disorder services to beneficiaries.

Housing Costs Determination

The Department has made the determination that the regulations would have no impact on housing costs.

## CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department 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 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.

Existing regulations related to the Medi-Cal program are located in Title 22, CCR, Division 3. Using this regulatory proposal to make amendments and adoptions to existing requirements that govern the Medi-Cal program is the most effective and convenient way to provide current and updated information directly to those impacted providers, physicians, and beneficiaries.

This regulatory action is necessary, pursuant to WIC Section 14043.75, to take steps to prevent fraud and abuse related to substance use disorder services, under the Medi-Cal program. Specifically, this regulatory action will address abusive and fraudulent practices as identified in the field reviews conducted by the Department.

## ASSISTIVE SERVICES

For individuals with disabilities, the Department can provide assistive services such as the conversion of written materials into Braille, large print, audiocassette and computer disk. For public hearings, assistive services can include sign-language interpretation, real-time captioning, note takers, reading or writing assistance. To request these assistive services, please call (916) 440-7695 (or California Relay at 711 or 1-800-735-2929), email — [regulations@dhcs.ca.gov](mailto:regulations@dhcs.ca.gov), or write to the Office of Regulations at the address noted above. Note: The range of assistive services available may be limited if requests are received less than ten business days prior to a public hearing.

The Department shall provide, upon request from a person with a visual disability or other disability for which effective communication is required under state or federal law, a narrative description of the additions to, and deletions from, the California Code of Regulations or other publication in a manner that allows for ac-

curate translation by reading software used by the visually impaired. Providing this description may require extending the period of public comment for the proposed action pursuant to Government Code Section 11346.6.

## CONTACT PERSONS

Inquiries regarding the regulations described in this notice may be directed to Jenny Tudesko of the Provider Enrollment Division at (916) 552-9645.

All other inquiries concerning the regulatory action described in this notice may be directed to Jasmin Delacruz of the Office of Regulations, at (916) 440-7695, or to the designated backup contact person, Lynette Cordell, at (916) 440-7695.

## AVAILABILITY OF TEXT OF REGULATIONS AND STATEMENT OF REASONS

The Department has prepared and has available for public review an initial statement of reasons for the regulations, all the information upon which the regulations are based, and the text of the regulations. The Office of Regulations, at the address noted above, will be the location of public records, including reports, documentation, and other material related to the regulations (rulemaking file). In addition, a copy of the final statement of reasons (when prepared) will be available upon request from the Office of Regulations.

The full text of any regulation which is changed or modified from the express terms of the emergency action will be made available by the Department's Office of Regulations at least 15 days prior to the date on which the Department adopts, amends, or repeals the resulting regulation.

Materials regarding the regulatory action described in this notice (including this public notice, the regulation text, and the initial statement of reasons) are posted to the Department's Internet site at: <http://www.dhcs.ca.gov/formsandpubs/laws/Pages/ProposedRegulations.aspx>.

In order to request a copy of this public notice, the regulation text, and the initial statement of reasons be mailed to you, please call (916) 440-7695 (or California Relay at 711 or 1-800-735-2929), email [regulations@dhcs.ca.gov](mailto:regulations@dhcs.ca.gov), or write to the Office of Regulations at the address noted above.

**GENERAL PUBLIC INTEREST**

**DEPARTMENT OF FISH  
AND WILDLIFE**

**CESA CONSISTENCY DETERMINATION  
REQUEST FOR  
Rock Creek Shasta Crayfish Safe Harbor Agreement  
(2089–2015–002–01)  
Shasta County**

California Department of Fish and Wildlife (CDFW) received a notice on August 17, 2015 that the Pacific Gas and Electric Company (PG&E) proposes to rely on a federal safe harbor agreement to carry out a project that may provide a net conservation benefit to a species protected by the California Endangered Species Act (CESA). The proposed project involves the translocation of Shasta crayfish (*Pacifastacus fortis*) from Crystal Lake Reservoir to protected waters on PG&E property to provide a net conservation benefit for the species. The proposed project will occur at the upper pool section of Rock Creek, Shasta County, California.

The August 17, 2015 notice requested a CDFW determination pursuant to California Fish and Game Code Section 2089.22, that the enhancement of survival permit (TE72833B–0) issued by the US Fish and Wildlife Service (Service) and safe harbor agreement (SHA) issued by the Service to the Applicant on August 7, 2015, are consistent with CESA for purposes of the proposed Project. If CDFW determines the federal safe harbor agreement is consistent with CESA for the proposed Project, the Applicant will not be required to obtain a California state safe harbor agreement under Fish and Game Code section 2089 for the Project.

**DEPARTMENT OF HEALTH CARE  
SERVICES**

**THE CALIFORNIA DEPARTMENT OF  
HEALTH CARE SERVICES WILL ADOPT  
REVISED BILLING CODES FOR MEDICAL  
PROGRAM 2015 CURRENT PROCEDURAL  
TERMINOLOGY — 4TH EDITION (CPT– 4)  
AND 2015 HEALTHCARE COMMON  
PROCEDURE CODING SYSTEM (HCPCS)  
LEVEL II**

Effective for dates of service on or after October 1, 2015, the California Department of Health Care Ser-

vices (DHCS) will adopt the 2015 Healthcare Common Procedure Coding System (HCPCS) Update, including the 2015 Current Procedural Terminology — 4th Edition (CPT–4), and the 2015 HCPCS Level II codes and modifiers. DHCS will establish specific reimbursement rates as follows:

- The maximum reimbursement for durable medical equipment using the updated billing codes, except wheelchairs and wheelchair accessories, will be established at an amount not to exceed 80 percent of the 2015 Medicare rates. Reimbursement for wheelchair and wheelchair accessories will be established at an amount not to exceed 100 percent of the 2015 Medicare rates (Welfare and Institutions Code section 14105.48).
- The maximum reimbursement for orthotic and prosthetic appliances and clinical laboratory services using the updated billing codes will be established at an amount not to exceed 80 percent of the 2015 Medicare rates (Welfare and Institutions Code sections 14105.21 and 14105.22).
- Maximum reimbursement for physician services, including surgical procedures, using the updated billing codes will be established at an amount not to exceed 80 percent of the 2015 Medicare rate for the same service.

These proposed changes will impact the following provider categories:

- Clinical laboratories
- Durable medical equipment
- Hospital outpatient departments and clinics
- Long-term care facilities
- Ground medical transportation
- Other outpatient clinics
- Optometrists
- Orthotists and prosthetics
- Pharmacies/pharmacists
- Physicians
- Podiatrists
- Providers of services under the California Children’s Services/Genetically Handicapped Persons Program

**PUBLIC REVIEW**

The proposed changes are available for public review at local county welfare offices throughout California. Written comments must be submitted within 45 days from the publication date of these changes in the California Regulatory Notice Register. All comments should include the author’s name, organization or affiliation, phone number and Provider ID number, if ap-

appropriate. Members of the public may request the proposed list of billing codes, and proposed reimbursement rates under the 2015 HCPCS Update form, and submit comments to:

Christine Brown  
 California Department of Health Care Services  
 Provider Rate Section  
 1501 Capitol Avenue  
 MS 4600  
 P.O. Box 997417  
 Sacramento, CA 95899-7417

**DEPARTMENT OF JUSTICE**

**NOTICE OF CORRECTION  
 Concerning the Notice re: Conflict-of-Interest  
 Code**

(OAL File No. Z-2015-0731-01)

Originally published August 14, 2015

The above-referenced notice was originally published in the California Regulatory Notice Register 2015, No. 33-Z on August 14, 2015.

The Department of Justice has two E-Crime Units, but in separate divisions. The Notice incorrectly referenced the E-Crime Unit in the Division of Criminal Law. The correct reference is the E-Crime Unit in the Division of Law Enforcement.

If you have any questions, please contact Julia Bilaver at (916) 322-6124 or Julia.Bilaver@doj.ca.gov.

**OFFICE OF ENVIRONMENTAL  
 HEALTH HAZARD ASSESSMENT**

**Availability of Hazard Identification Materials to  
 Support Reconsideration of Listing of  
 Methyl-n-butyl Ketone, a Chemical Listed Via  
 the Labor Code as Known to the State of  
 California to Cause Reproductive Toxicity, and to  
 Support Consideration of Listing of  
 2,5-Hexanedione as Known to the State of  
 California to Cause Reproductive Toxicity.**

**Announcement of the November 9, 2015 Meeting  
 of the Developmental and Reproductive Toxicant  
 Identification Committee**

The Office of Environmental Health Hazard Assessment (OEHHA) announces the availability for public review of a hazard identification document to support

the reconsideration of methyl-n-butyl ketone and the consideration of 2,5 hexanedione as known to cause reproductive toxicity. OEHHA, a department of the California Environmental Protection Agency, is the lead agency for the implementation of Proposition 65<sup>1</sup>. The Developmental and Reproductive Toxicant Identification Committee (DARTIC) advises and assists OEHHA in compiling the list of chemicals known to the state to cause reproductive toxicity, as required by Proposition 65. The DARTIC serves as the state's qualified experts for determining whether a chemical has been clearly shown through scientifically valid testing according to generally accepted principles to cause reproductive toxicity.

**BACKGROUND**

Methyl-n-butyl ketone was originally added to the Proposition 65 list in 2009 on the basis of reproductive toxicity via the Labor Code mechanism<sup>2</sup>. In 2014, OEHHA initiated reconsideration by the DARTIC of several chemicals, including methyl-n-butyl ketone, based on changes to the federal regulations that affected the basis for the original listing via the Labor Code mechanism. Specifically, in March 2012, the federal Occupational Safety and Health Administration (OSHA) amended the regulations contained in the Code of Federal Regulations, Title 29, section 1910.1200. These changes affected the use of this section as a definitive source for identifying chemicals as known to cause reproductive toxicity by the Labor Code mechanism. During its reconsideration of methyl-n-butyl ketone on March 18, 2014, the Committee deferred making a decision and requested additional information both on this chemical and its active metabolite, 2,5-hexanedione. In response to that request, OEHHA has revised the hazard identification document for methyl-n-butyl ketone and added information on the reproductive toxicity of 2,5-hexanedione.

**PUBLIC COMMENT**

This notice marks the beginning of a 45-day public comment period on this document. The public comment period will close on **Monday, October 12, 2015**. Copies of the document are available from OEHHA's website. The document may also be requested from OEHHA's Proposition 65 Implementation Office by calling (916) 445-6900.

<sup>1</sup> The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 et seq.

<sup>2</sup> Health and Safety Code section 25249.8(a).

DARTIC MEETING

On **Monday, November 9, 2015**, the DARTIC will consider whether methyl-n-butyl ketone should remain listed under Proposition 65 as known to cause reproductive toxicity, and will also consider whether 2,5-hexanedione should be listed as known to cause reproductive toxicity. The meeting will be held in the Sierra Hearing Room at the CalEPA Headquarters building, 1001 I Street, Sacramento, California. The meeting will begin at 10:00 a.m. and will last until all business is conducted or until 5:00 p.m. The agenda for the meeting will be provided in a future public notice published in advance of the meeting. OEHHA will send all comments received on the hazard identification document for these chemicals to DARTIC members prior to the meeting. Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period. Electronic files submitted should not have any form of encryption.

**OEHHA must receive comments and any supporting documentation on the hazard identification document by 5:00 p.m. on Monday, October 12, 2015.**

We encourage you to submit comments in electronic form, rather than in paper form. Comments transmitted by e-mail should be addressed to [P65PublicComments@oehha.ca.gov](mailto:P65PublicComments@oehha.ca.gov). Please include "Methyl n-Butyl Ketone and 2,5-Hexanedione" in the subject line. Comments submitted in paper form may be mailed, faxed, or delivered in person to the addresses below:

Mailing  
Address: Michelle Robinson  
Office of Environmental  
Health Hazard Assessment  
P.O. Box 4010, MS-12B  
Sacramento, California  
95812-4010

Fax:  
Street (916) 323-2265  
Address: 1001 I Street  
Sacramento, California 95814

**PROPOSITION 65**

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES**

**MEETING OF THE CARCINOGEN  
IDENTIFICATION COMMITTEE (CIC)**

**NOVEMBER 4, 2015**

**Availability of Hazard Identification Materials for  
Nitrpyrin and Diaminotoluenes.  
"Diaminotoluene (mixed)" and Nitrpyrin are  
Under Review for Possible Delisting**

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986<sup>1</sup> (Proposition 65). The Carcinogen Identification Committee (CIC) advises and assists OEHHA in compiling the list of chemicals known to the state to cause cancer as required by Health and Safety Code section 25249.8. The Committee serves as the state's qualified experts for determining whether a chemical has been clearly shown through scientifically valid testing according to generally accepted principles to cause cancer.

**CIC MEETING**

As announced previously, OEHHA is referring nitrpyrin and diaminotoluene (mixed) to the Carcinogen Identification Committee (CIC)<sup>2</sup>, the state's qualified experts for carcinogenicity determinations under Proposition 65<sup>3</sup>, for review for possible delisting at a public meeting scheduled for Wednesday, November 4, 2015. The meeting will be held in the Coastal Hearing Room of the California Environmental Protection Agency headquarters building located at 1001 I Street, Sacramento beginning at 10:00 a.m. and continuing until all business is conducted or 5:00 p.m. (link: [http://www.oehha.ca.gov/prop65/public\\_meetings/Oct2015P65CICmeeting.html](http://www.oehha.ca.gov/prop65/public_meetings/Oct2015P65CICmeeting.html)).

<sup>1</sup> Health and Safety Code section 25249.5 et seq.

<sup>2</sup> Title 27, Cal. Code of Regs., section 25306(j).

<sup>3</sup> Title 27, Cal. Code of Regs., section 25305(a)(1).

## CONSIDERATION OF NITRAPYRIN

Nitrapyrin (CAS No. 1929–82–4) was listed “as causing cancer” under Proposition 65 on October 5, 2005, based upon its classification by the US Environmental Protection Agency (US EPA, 2000)<sup>4</sup> as “likely to be carcinogenic in humans.” In 2012, US EPA revised the classification of nitrapyrin to “Suggestive Evidence of Carcinogenic Potential” (US EPA, 2012a)<sup>5</sup>. When a chemical is no longer identified by the authoritative body as causing cancer and no other administrative basis for listing applies, the chemical is referred to the CIC<sup>6</sup>. The CIC then determines whether the chemical has been “clearly shown through scientifically valid testing according to generally accepted principles to cause cancer.” If the CIC makes such a determination, the chemical remains on the Proposition 65 list. Otherwise, the chemical is removed from the list.

## CONSIDERATION OF DIAMINOTOLUENE (MIXED) AND RELATED ISOMERS

Diaminotoluene (mixed) was listed “as causing cancer” under Proposition 65 on January 1, 1990, based upon its classification by the US Environmental Protection Agency (US EPA, 1988)<sup>7</sup> as a Group B2 carcinogen (probable human carcinogen). OEHHA received a petition from Big Lots Stores, Inc. for reconsideration of listing for diaminotoluene (mixed) on October 21, 2014. While the US EPA (1988) basis document indicates that the hazard ranking of diaminotoluene (mixed) “is applicable to all isomers of diaminotoluene”, and that the “evidence on potential carcinogenicity from animal studies is ‘sufficient’”, the US EPA document also indicates that “this evidence is based on the carci-

nogenic properties of the isomer 2,4–diaminotoluene”. No other information on the mixture or individual isomers is included in the US EPA document.

OEHHA is referring diaminotoluene (mixed) to the CIC for a determination as to whether the chemical should continue to be included on the list of chemicals known to the state to cause cancer pursuant to Title 27, Cal. Code of Regs., section 25306 (j).

The CIC will determine whether or not diaminotoluene (mixed) has been “clearly shown through scientifically valid testing according to generally accepted principles to cause cancer” and should remain on the Proposition 65 list. The CIC will also determine whether or not diaminotoluenes as a group, or any of the five individual diaminotoluene isomers not currently listed as causing cancer, should be added to the list<sup>8</sup>.

## HAZARD IDENTIFICATION MATERIALS

OEHHA announces the availability for public review of the hazard identification materials on 1) nitrapyrin, including the document entitled: “Nitrapyrin. A Chemical Listed “As Causing Cancer” by the Authoritative Bodies Mechanism and under Review by the Carcinogen Identification Committee”, and US EPA review documents on nitrapyrin, and 2) Diaminotoluenes, including the document entitled: “Diaminotoluenes (DATs). “Diaminotoluene (mixed)” Is Listed “As Causing Cancer” by the Authoritative Bodies Mechanism and These Chemicals are under Review by the Carcinogen Identification Committee”.

Copies of the documents are available from OEHHA’s website. The documents may also be requested from OEHHA’s Proposition 65 Implementation Office by calling (916) 445–6900.

## PUBLIC COMMENT PERIOD

This notice marks the beginning of a 45–day public comment period on these materials. **OEHHA must receive comments and any supporting documentation by 5:00 p.m. on Monday, October 7, 2015.** Public comments at the meeting will be limited to 5 minutes per commenter, except for those commenters who make requests by October 7, 2015, and receive approval from the Chair for longer comments. If you would like to make public comments to the Committee exceeding 5 minutes, please provide an estimate of the time you will need and the reason you are requesting additional time, to the Proposition 65 mailbox [P65Public.Comments@oehha.ca.gov](mailto:P65Public.Comments@oehha.ca.gov) or (916) 445–6900 by 5:00 p.m. on October 7, 2015.

<sup>8</sup> Note: The listing of 2,4–diaminotoluene will not be re–considered, as it was individually added to the list by the Science Advisory Panel (the predecessor entity to the CIC) on January 1, 1988.

<sup>4</sup> US Environmental Protection Agency (US EPA, 2000). Cancer Assessment Document. Evaluation of the Carcinogenic Potential of Nitrapyrin (Second Review). Cancer Assessment Review Committee. Health Effects Division. Office of Pesticide Programs. May 5, 2000.

<sup>5</sup> US Environmental Protection Agency (US EPA, 2012). Cancer Assessment Document. Evaluation of the Carcinogenic Potential/ Mode of Action for Mouse Liver Tumors. Nitrapyrin. PC Code 06923. Cancer Assessment Review Committee. Health Effects Division. Office of Pesticide Programs. March 1, 2012.

<sup>6</sup> Title 27, Cal. Code of Regs., section 25306(j).

<sup>7</sup> US Environmental Protection Agency (US EPA, 1988). Methodology for Evaluating Potential Carcinogenicity in Support of Reportable Quantity Adjustments Pursuant to CERCLA Section 102. Office of Health and Environmental Assessment, Washington DC 20460, EPA/600/8–89/053, June 1988, including Appendix: Hazard Ranking of Potential Carcinogens, and Appendix: Evaluation of the Potential Carcinogenicity of Diaminotoluene (Mixed) (95–80–7). In Support of Reportable Quantity Adjustments Pursuant to CERCLA Section 102, Carcinogen Assessment Group, Office of Health and Environmental Assessment Washington, DC, 20460 EPA/600/8–91/103 June 1988.

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](mailto:P65Public.Comments@oehha.ca.gov). Please include “HIM — Nitrapyrin” or “HIM — Diaminotoluenes” in the subject line. Alternatively, comments may be submitted in paper form and mailed, faxed, or delivered in person to the addresses below:

**Mailing**

Address: Michelle Robinson  
Office of Environmental Health  
Hazard Assessment  
P.O. Box 4010, MS-12B  
Sacramento, California  
95812-4010

Fax: (916) 323-2265

**Street**

Address: 1001 I Street  
Sacramento, California 95814

OEHHA will organize and index the comments received and forward the information to the CIC members prior to the meeting at which the chemicals will be considered. Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period. Electronic files submitted should not have any form of encryption.

If you have any questions, please contact Michelle Robinson at [Michelle.Robinson@OEHHA.ca.gov](mailto:Michelle.Robinson@OEHHA.ca.gov) or (916) 445-6900.

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES**

**Prioritization: Chemicals for Consultation by the  
Developmental and Reproductive Toxicant  
Identification Committee at the November 9, 2015  
Committee Meeting**

This notice announces the beginning of a 45-day public comment period on the priority for consideration under Proposition 65 of five chemicals listed below. These chemicals will be discussed at the November 9, 2015 meeting of the Proposition 65 Developmental and Reproductive Toxicant Identification Committee (DARTIC). The DARTIC consists of the state’s qualified experts on reproductive toxicity for purposes of the

Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65). The DARTIC will advise the Office of Environmental Health Hazard Assessment (OEHHA) on the prioritization of these chemicals for possible preparation of hazard identification materials. At a later date, OEHHA will select chemicals for preparation of hazard identification materials and announce those decisions in separate notices. **No listing decisions will be made for these chemicals at the November 9 meeting.**

OEHHA is the lead agency for the implementation of Proposition 65. Pursuant to our prioritization procedure, we applied an epidemiologic data screen to look for evidence of hazard in this current round of prioritization. This epidemiologic data screen was previously applied in 2007. At public meetings of the DARTIC in 2010 and 2011, the Committee endorsed re-application of this screen in future rounds of screening. For the current application of this epidemiologic data screen, OEHHA re-screened chemicals that had been identified in 2007 as having relevant data but which did not have sufficient human data available at that time. Chemicals passing the screen were then subjected to a preliminary toxicological evaluation. This screening follows the procedure described in the 2004 “Process for Prioritizing Chemicals for Consideration under Proposition 65 by the State’s Qualified Experts,” which is available at [http://www.oehha.ca.gov/prop65/CRNR\\_notices/state\\_listing/pdf/finalPriordoc.pdf](http://www.oehha.ca.gov/prop65/CRNR_notices/state_listing/pdf/finalPriordoc.pdf).

The document “Prioritization: Chemicals Identified for Consultation with the Developmental and Reproductive Toxicant Identification Committee” is available on OEHHA’s website: [www.oehha.ca.gov/prop65](http://www.oehha.ca.gov/prop65).

The five chemicals which will be discussed are:

- Nickel
- Pentachlorophenol
- Perfluorooctanoic acid (PFOA)
- Perfluorooctane sulfonate (PFOS)
- Tetrachloroethylene

The DARTIC will consider these chemicals at its meeting on **Monday, November 9, 2015**. The meeting will be held in the Sierra Hearing Room at the CalEPA Headquarters building, 1001 I Street, Sacramento, California. The meeting will begin at 10:00 a.m. and will last until all business is conducted or until 5:00 p.m. The agenda for the meeting will be provided in a future public notice published in advance of the meeting. OEHHA will send comments received on the prioritization documents for these chemicals to DARTIC members prior to the meeting.

Copies of the summaries of available scientific information on the chemicals and related attachments are

available on OEHHA's website or may be requested by calling (916) 445-6900.

Interested parties may provide comment on the extent of the scientific evidence pertaining to the selection of any of these chemicals for possible preparation of hazard identification materials. **OEHHA must receive comments and any supporting documentation on the hazard identification document by 5:00 p.m. on Monday, October 12, 2015.** 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](mailto:P65Public.Comments@oehha.ca.gov). Please include "2015 DART Prioritization" in the subject line. Comments submitted in paper form may be mailed, faxed, or delivered in person to the addresses below:

Mailing  
Address: Michelle Robinson  
Office of Environmental Health  
Hazard Assessment  
P.O. Box 4010, MS-12B  
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 website after the close of the comment period. Electronic files submitted should not have any form of encryption. If you have any questions, please contact Michelle Robinson at [Michelle.Robinson@OEHHA.ca.gov](mailto:Michelle.Robinson@OEHHA.ca.gov) or (916) 445-6900.

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES**

**PROPOSITION 65  
HEARING ON CENTER FOR  
ENVIRONMENTAL HEALTH PETITION  
REQUESTING REPEAL OR AMENDMENT OF  
THE SAFE HARBOR LEVEL FOR LEAD**

**TITLE 27, CALIFORNIA CODE OF  
REGULATIONS  
SECTION 25805**

The Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for implementation of Proposition 65.<sup>1</sup> As part of its duties, OEHHA has authority to adopt, amend and repeal regulations related to the Act, including safe harbor levels for listed chemicals.<sup>2</sup>

On July 3, 2015, OEHHA received an electronic copy of the "Petition by Center for Environmental Health for Administrative Rulemaking to repeal or amend Proposition 65 regulations pertaining to the Maximum Allowable Dose Level [MADL] for lead," which was filed pursuant to Government Code section 11340.6.

Following review of the petition and related materials, OEHHA has determined that it will initiate a rulemaking to update the existing MADL for lead set out in Title 27, Cal. Code of Regs., section 25805(b). Therefore, pursuant to Government Code section 11340.7(a), OEHHA is providing this Notice of Hearing on the petition. The hearing will be held on **October 14, 2015 from 10:00 a.m. to 12:00 noon** in the Coastal Hearing Room at the CalEPA Headquarters building at 1001 I Street in Sacramento.

As a starting point for discussion, OEHHA is providing draft regulatory language and explanatory information for a possible new set of MADLs for lead on its website at [www.oehha.ca.gov/prop65](http://www.oehha.ca.gov/prop65). *These are pre-regulatory documents that could change substantially prior to the commencement of a formal rulemaking.* Additional opportunities for public comment will be provided during the formal rulemaking process.

<sup>1</sup> The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5, et seq., and commonly referred to as Proposition 65; hereafter referred to as "Proposition 65" or "the Act".

<sup>2</sup> See Health and Safety Code section 25249.12 and Title 27, Cal. Code of Regs., sections 25102(o) and 25801.

Interested parties are encouraged to attend the hearing and participate in the discussion. They may also submit comments regarding the petition and potential rulemaking. Comments should be submitted in writing to the address noted below by **5:00 p.m. on October 28, 2015**. Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period. Electronic files submitted should not have any form of encryption.

All submissions should be directed to:

Monet Vela  
Regulations Coordinator  
Office of Environmental Health Hazard Assessment  
1001 I Street  
Sacramento, CA 95812  
Or via e-mail to [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov)

If you have special accommodations or language needs, please contact Monet Vela at (916) 323-2517 or [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov) by September 30, 2015.

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES**

**PROPOSITION 65  
PRE-REGULATORY WORKSHOP FOR  
POTENTIAL NEW REGULATION**

**Naturally-Occurring Background Levels for  
Certain Chemicals Found in Unprocessed Foods**

**TITLE 27, CALIFORNIA CODE OF  
REGULATIONS  
SECTION 25501.1**

The Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for implementation of Proposition 65.<sup>1</sup> As part of its duties, OEHHA has authority to adopt, amend and repeal regulations related to the Act, including safe harbor levels for listed chemicals.<sup>2</sup>

OEHHA is considering adopting a regulation that would establish background levels for certain ubiqui-

tous chemicals, such as lead that are naturally present in unprocessed foods.

As a starting point for discussion, OEHHA is providing draft regulatory language and explanatory information for a possible new regulation on its website at [www.oehha.ca.gov/prop65](http://www.oehha.ca.gov/prop65). *These are pre-regulatory documents that could change substantially prior to the commencement of a formal rulemaking.* Additional opportunities for public comment will be provided during the formal rulemaking process.

The workshop will be held on **October 14, 2015 from 1:00 p.m. to 4:00 p.m.** in the Coastal Hearing Room at the CalEPA Headquarters building at 1001 I Street in Sacramento. Interested parties are encouraged to attend the workshop and participate in the discussion. Comments should be submitted in writing to the address noted below by **5:00 p.m. on October 28, 2015**. Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period. Electronic files submitted should not have any form of encryption.

All submissions should be directed to:

Monet Vela  
Regulations Coordinator  
Office of Environmental Health Hazard Assessment  
1001 I Street  
Sacramento, CA 95812  
Or via e-mail to [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov)

If you have special accommodations or language needs, please contact Monet Vela at (916) 323-2517 or [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov) by September 30, 2015.

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES**

**PROPOSITION 65  
PRE-REGULATORY WORKSHOP FOR  
POTENTIAL REGULATORY AMENDMENT**

**TITLE 27, CALIFORNIA CODE OF  
REGULATIONS  
SECTION 25821, LEVEL OF EXPOSURE TO  
CHEMICALS CAUSING  
REPRODUCTIVE TOXICITY**

The Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for implementation of Proposition 65.<sup>1</sup> As part of its duties, OEHHA has

<sup>1</sup> The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5, et seq., and commonly referred to as Proposition 65; hereafter referred to as "Proposition 65" or "the Act".

<sup>2</sup> See Health and Safety Code section 25249.12 and Title 27, Cal. Code of Regs., sections 25102(o) and 25801.

authority to adopt, amend and repeal regulations related to the Act, including safe harbor levels for listed chemicals.<sup>2</sup>

OEHHA is considering amending the existing regulation to clarify that the reasonably anticipated rate of intake or exposure to a listed chemical must be calculated as the arithmetic mean of daily intake or exposure for product users.

As a starting point for discussion, OEHHA is providing draft regulatory language and explanatory information for the possible amendment on its website at [www.oehha.ca.gov/prop65](http://www.oehha.ca.gov/prop65). *These are pre-regulatory documents that could change substantially prior to the commencement of a formal rulemaking.* Additional opportunities for public comment will be provided during the formal rulemaking process.

The workshop will be held on **October 19, 2015 at 10:00 a.m.** in the Auditorium in the Elihu Harris State Building at 1515 Clay Street in Oakland, California.

Interested parties are encouraged to attend the workshop and participate in the discussion. Comments should be submitted in writing to the address noted below by **5:00 p.m. on November 2, 2015**. Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period. Electronic files submitted should not have any form of encryption.

All submissions should be directed to:

Monet Vela  
 Regulations Coordinator  
 Office of Environmental Health Hazard Assessment  
 1001 I Street  
 Sacramento, CA 95812  
 Or via e-mail to [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov)

If you have special accommodations or language needs, please contact Monet Vela at (916) 323-2517 or [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov) by September 30, 2015.

**OFFICE OF ENVIRONMENTAL  
 HEALTH HAZARD ASSESSMENT**

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

**NOTICE TO INTERESTED PARTIES**

**PROPOSITION 65  
 PRE-REGULATORY WORKSHOP FOR  
 POTENTIAL AMENDMENTS TO**

**TITLE 27, CALIFORNIA CODE OF  
 REGULATIONS  
 SECTION 25821, LEVEL OF EXPOSURE TO  
 CHEMICALS CAUSING  
 REPRODUCTIVE TOXICITY**

The Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for implementation of Proposition 65.<sup>1</sup> As part of its duties, OEHHA has authority to adopt, amend and repeal regulations related to the Act, including safe harbor levels for listed chemicals.<sup>2</sup>

OEHHA is considering adopting amendments to existing regulations in Section 25821 concerning the calculation of the concentration of listed chemicals in foods. Certain provisions of the existing regulations lack clarity. In particular, subsection (a) of the regulation has been interpreted to allow for averaging of samples from various lots of products that were gathered over extended time periods and geographic areas. This is contrary to the intent of the regulations and OEHHA has determined that clarification is necessary in order to ensure that the regulation furthers the purposes of the Act.

As a starting point for discussion, OEHHA is providing draft regulatory language and explanatory information for a possible new regulation on its website at [www.oehha.ca.gov/prop65](http://www.oehha.ca.gov/prop65). *These are pre-regulatory documents that could change substantially prior to the commencement of a formal rulemaking.* Additional opportunities for public comment will be provided during the formal rulemaking process.

The workshop will be held on **October 19, 2015 from 1 p.m. to 4 p.m.** in the Auditorium at the Elihu Harris State Building at 1515 Clay Street in Oakland, California. Interested parties are encouraged to attend

<sup>1</sup> The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5, et seq., and commonly referred to as Proposition 65; hereafter referred to as "Proposition 65" or "the Act".

<sup>2</sup> See Health and Safety Code section 25249.12 and Title 27, Cal. Code of Regs., sections 25102(o) and 25801.

<sup>1</sup> The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5, et seq., and commonly referred to as Proposition 65; hereafter referred to as "Proposition 65" or "the Act".

<sup>2</sup> See Health and Safety Code section 25249.12 and Title 27, Cal. Code of Regs., sections 25102(o) and 25801.

the workshop and participate in the discussion. Comments should be submitted in writing to the address noted below by **5:00 p.m. on November 2, 2015**. Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period. Electronic files submitted should not have any form of encryption.

All submissions should be directed to:

Monet Vela  
Regulations Coordinator  
Office of Environmental Health Hazard Assessment  
1001 I Street  
Sacramento, CA 95812  
Or via e-mail to [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov)

If you have special accommodations or language needs, please contact Monet Vela at (916) 323-2517 or [monet.vela@oehha.ca.gov](mailto:monet.vela@oehha.ca.gov) by September 30, 2015.

**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# 2015-0709-03  
BOARD OF CHIROPRACTIC EXAMINERS  
Sponsored Free Healthcare Events

This resubmittal of OAL File No. 2015-0121-01S by the Board of Chiropractic Examiners (the "Board") adopts sections 309, 309.1, 309.2, 309.3, and 309.4 in title 16 of the California Code of Regulations. The adopted regulations implement, interpret, and make specific the provisions of Business and Professions Code section 901 as it pertains to licensed doctors of chiropractic. This includes the application and registration requirements, disciplinary actions, recordkeeping requirements, and provisions for termination for the exemption of an out-of-state licensed doctor of chiropractic who wishes to participate in a sponsored free health care event. Lastly, the Board is incorporating two forms by reference through this rulemaking.

Title 16  
ADOPT: 309, 309.1, 309.2, 309.3, 309.4  
Filed 08/18/2015  
Effective 10/01/2015  
Agency Contact: Dixie Van Allen

File# 2015-0803-01  
BUREAU OF ELECTRONIC AND APPLIANCE  
REPAIR, HOME FURNISHINGS AND THERMAL  
INSULATION  
Ignition Interlock Devices

The Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation filed this action to adopt two sections under title 16 of the California Code of Regulations pertaining to the installation, maintenance, and servicing of ignition interlock devices.

Title 16  
ADOPT: 2744, 2744.1  
Filed 08/19/2015  
Effective 10/01/2015  
Agency Contact: Terri Rice (916) 999-2058

File# 2015-0812-02  
CALIFORNIA ENERGY COMMISSION  
Lavatory Faucets and Showerhead Water Efficiency  
Regulations

This rulemaking action by the California Energy Commission establishes standards to improve the efficiency of residential lavatory faucets and showerheads for sale and installation in new and existing buildings. These standards are being adopted pursuant to directives 16, 26, and 30 of Governor's Executive Order No. B-29-15, signed on April 1, 2015.

Title 20  
AMEND: 1602, 1604, 1605.1, 1605.3, 1606  
Filed 08/19/2015  
Effective 08/19/2015  
Agency Contact: Jared Babula (916) 651-1462

File# 2015-0710-03  
CALIFORNIA HORSE RACING BOARD  
Application for License to Conduct a Horse Racing  
Meeting

The California Horse Racing Board amended section 1433 of title 4 of the California Code of Regulations to eliminate the requirement that a polymer synthetic type racing surface be installed and to incorporate new versions of the Application for License to Conduct a Horse Racing Meeting and the Application for License to Conduct a Horse Racing Meeting of a California Fair.

Title 4  
 AMEND: 1433  
 Filed 08/19/2015  
 Effective 10/01/2015  
 Agency Contact: Harold Coburn (916) 263-6026

File# 2015-0707-03  
 COMMISSION ON PEACE OFFICER STANDARDS  
 AND TRAINING  
 Amend Academy Instructor Program

In this regulatory action, the Commission amends title 11, section 1009 of the California Code of Regulations to establish a method for instructors who did not complete the Academy Instructor Certificate Program (AICP) re-certification requirement to come into compliance with the AICP regulation.

Title 11  
 AMEND: 1009  
 Filed 08/17/2015  
 Effective 10/01/2015  
 Agency Contact: Patti Kaida (916) 227-4847

File# 2015-0709-02  
 DEPARTMENT OF BUSINESS OVERSIGHT  
 MLO Education and Testing Requirements

This rulemaking action amends sections in Title 10 of the California Code of Regulations to implement Senate Bill 1459 (Chapter 123, Statutes of 2014) regarding the pre-licensure and continuing education requirements for a mortgage loan originator license. The action also removes the requirement that license applicants pass a written test which is specifically developed by the Nationwide Mortgage Licensing System and Registry (NMLS) and which contains a California-specific component. The amendments enable license applicants to become licensed by passing a written test which is otherwise deemed acceptable by the NMLS and which contains a uniform state test or uniform state content in lieu of a California state component.

Title 10  
 AMEND: 1422.6.1, 1422.6.3, 1950.122.5.1,  
 1950.122.5.3  
 Filed 08/19/2015  
 Effective 08/19/2015  
 Agency Contact: Dan Warren (916) 324-6912

File# 2015-0707-02  
 DEPARTMENT OF FOOD AND AGRICULTURE  
 Milk Producers Security Trust Fund

This resubmittal of previous related OAL file no. 2015-0226-05S amends the definition of "beneficial ownership interest" for purposes of the Milk Producers Security Trust Fund ("Fund"). Generally, the Fund cov-

ers a milk producer's loss when a milk handler fails to pay the milk producer for goods sold and delivered. Statute bars Fund coverage if the producer has a beneficial ownership interest in the handler to whom shipments were made, inter alia. This statute does not define the term "beneficial ownership interest." (Food & Agr. Code § 62580, subd. (h).)

Title 3  
 AMEND: 2100  
 Filed 08/17/2015  
 Effective 10/01/2015  
 Agency Contact: John Lee (916) 900-5012

File# 2015-0804-01  
 DEPARTMENT OF FOOD AND AGRICULTURE  
 Temporary Standard for Ultra-Filtered Milk Products

This emergency rulemaking action by the Department of Food and Agriculture establishes a temporary standard for ultra-filtered milk products in title 3 of the California Code of Regulations.

Title 3  
 ADOPT: 450, 450.1, 450.2, 450.3, 450.4, 451, 452  
 Filed 08/14/2015  
 Effective 08/14/2015  
 Agency Contact: Anne Quilter (916) 900-5079

File# 2015-0806-03  
 DEPARTMENT OF HEALTH CARE SERVICES  
 Drug Medi-Cal/Provider Enrollment

This emergency regulatory action deals with Drug Medi-Cal providers and enrollment. This emergency regulatory action revises definitions and enrollment requirements related to the Drug Medi-Cal program. This action also amends related enrollment criteria under the Medi-Cal program. The purpose of this action is to curtail and prevent provider fraud and abuse. Pursuant to Welfare and Institutions Code section 14043.75 this regulatory action is a deemed emergency that is exempt from OAL review.

Title 22  
 ADOPT: 51000.9.5, 51000.15.5, 51000.24.3,  
 51000.24.4, 51000.24.4.1, 51000.24.5, 51000.24.8,  
 51000.70, 51000.75  
 AMEND: 51000, 51000.7, 51000.20, 51000.30,  
 51000.31, 51000.35, 51000.40, 51000.45,  
 51000.60, 51051, 51341.1  
 Filed 08/17/2015  
 Effective 08/17/2015  
 Agency Contact: Jasmin Delacruz (916) 440-7688

File# 2015-0701-03  
 DEPARTMENT OF MOTOR VEHICLES  
 Surety Bonds

This change without regulatory effect amends the revision dates of three surety bond forms incorporated by

reference by the Department of Motor Vehicles in title 13 of the California Code of Regulations. The three forms were separately modified and approved by the Department of Justice and the Office of Administrative Law (OAL matter nos. 2015-0511-01FP, 2015-0511-02FP, and 2015-0511-03FP).

Title 13  
 AMEND: 268.12, 285.06, 330.08  
 Filed 08/12/2015  
 Agency Contact: Randi Calkins (916) 657-8898

File# 2015-0701-01  
 DIVISION OF WORKERS' COMPENSATION  
 Workers' Compensation—QME Regulations

This rulemaking action amends sections in Title 8 of the California Code of Regulations concerning the process and forms for obtaining a panel of Qualified Medical Evaluators (QMEs) to resolve medical disputes in workers' compensation cases. More specifically, the action: establishes an online QME panel request process for represented parties, amends forms used by unrepresented parties to request a QME panel, deletes three QME specialty codes from QME panel application, reappointment, and/or request forms, and adds one new general-category QME specialty code.

Title 8  
 AMEND: 30, 30.5, 31.1, 100, 104, 105, 106, 109  
 Filed 08/12/2015  
 Effective 09/01/2015  
 Agency Contact: Karen Pak (510) 286-0634

File# 2015-0706-01  
 OFFICE OF STATEWIDE HEALTH PLANNING AND DEVELOPMENT  
 OSHPD CCORP Data Elements

This change without regulatory effect filing by the Office of Statewide Health Planning and Development (OSHPD) amends section 97174 of title 22 of the California Code of Regulations to correct the spelling of several misspelled words, fix a grammatical error, and insert a missing subdivision heading. These changes relate to the data elements reported to the California Coronary Artery Bypass Graft (CABG) Outcomes Reporting Program (CCORP).

Title 22  
 AMEND: 97174  
 Filed 08/17/2015  
 Agency Contact:  
 Lisa Ann Christensen Cook (916) 326-6867

File# 2015-0707-01  
 STATE ALLOCATION BOARD  
 Leroy F. Greene School Facilities Act of 1998; CSFP  
 General Site Development

This rulemaking by the State Allocation Board amends Title 2, section 1859.163.1 of the California Code of Regulations, to resolve an inconsistency in grant funding calculations. The inconsistency exists in the formulas provided in section 1859.163, which determines the preliminary apportionment, and 1859.76, which determines the final apportionment. Because of inconsistent formulas in the regulations for certain categories of funding, the amount allocated in the preliminary apportionment is twice the amount allowed in the final apportionment. This action amends section 1859.163.1 to make the funding formulas consistent.

Title 2  
 AMEND: 1859.163.1  
 Filed 08/13/2015  
 Effective 10/01/2015  
 Agency Contact: Lisa Jones (916) 376-1753

**CCR CHANGES FILED  
 WITH THE SECRETARY OF STATE  
 WITHIN March 18, 2015 TO  
 August 19, 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 2**  
 08/13/15 AMEND: 1859.163.1  
 08/06/15 AMEND: 18420.1, 18901.1  
 07/30/15 REPEAL: 547.80, 547.82, 547.83, 547.84, 547.85, 547.86, 547.87  
 07/30/15 ADOPT: 599.980, 599.981, 599.982, 599.983, 599.984, 599.985, 599.986  
 AMEND: 599.980 (renumbered to 599.987), 599.981 (renumbered to 599.988), 599.982 (renumbered to 599.989), 599.985 (renumbered to 599.990), 599.986 (renumbered to 599.991), 599.987 (renumbered to 599.992), 599.988 (renumbered to 599.993), 599.990 (renumbered to 599.994), 599.992 (renumbered to 599.995), 599.993 (renumbered to

	599.996), 599.994 (renumbered to 599.997), 599.995 (renumbered to 599.998)	08/06/15 AMEND: 3435(b)
		08/04/15 AMEND: 3435(b)
		07/21/15 AMEND: 3439(b)
07/16/15	AMEND: 548.42, 548.124	07/08/15 AMEND: 3435(b)
07/15/15	AMEND: 59640	07/01/15 AMEND: 4603(i)
07/15/15	AMEND: 18404.2	06/24/15 AMEND: 3435(b)
07/10/15	AMEND: 18700, 18700.1, 18700.3, 18701, 18702, 18702.2, 18702.4, 18747	06/24/15 AMEND: 2751(b)
06/22/15	ADOPT: 18700.3, 18707 AMEND: 18704 REPEAL: 18704.1, 18704.2, 18704.3, 18704.4, 18704.5, 18704.6	06/22/15 AMEND: 3435(b)
06/22/15	AMEND: 18361.7	06/02/15 AMEND: 3591.11(a)
06/16/15	AMEND: 39000, 39001, 39002	05/28/15 AMEND: 3435(b)
06/02/15	AMEND: 10001, 10002, 10005, 10006, 10007, 10008, 10009, 10011, 10012, 10013, 10015, 10021, 10022, 10024, 10025, 10029, 10030, 10031, 10033, 10035, 10037, 10038, 10039, 10041, 10042, 10046, 10047, 10050, 10053, 10054, 10056, 10057, 10061, 10062, 10063, 10065	05/19/15 ADOPT: 3441
05/27/15	ADOPT: 61100, 61101, 61102, 61103, 61104, 61105, 61106, 61107, 61108, 61109, 61120, 61121, 61122, 61130, 61131, 61132, 61140	05/13/15 AMEND: 3435(b)
05/18/15	AMEND: 18703 REPEAL: 18703.2, 18703.4, 18703.5, 18707, 18707.1, 18707.2, 18707.4, 18707.5, 18707.6, 18707.7, 18707.9, 18707.10	05/08/15 AMEND: 3435(b)
05/04/15	ADOPT: 1701, 1702 AMEND: 1700	05/06/15 AMEND: 3435(b)
04/27/15	AMEND: 18700, 18700.1, 18700.2, 18700.3, 18701, 18701.1, 18702, 18702.1, 18702.2, 18702.3, 18702.4, 18702.5, 18703.3, 18704, 18704.1, 18704.2, 18704.3, 18704.4, 18704.5, 18704.6, 18705, 18705.1, 18705.2, 18705.3, 18705.4, 18705.5, 18706, 18706.1, 18708, 18709	05/06/15 AMEND: 6400
04/09/15	AMEND: 57400	04/30/15 AMEND: 3435(b)
04/08/15	AMEND: 212	04/30/15 AMEND: 3435
04/07/15	ADOPT: 59780	04/16/15 AMEND: 6512
04/02/15	AMEND: 18215	04/15/15 ADOPT: 6738.1, 6738.2, 6738.3, 6738.4 AMEND: 6000, 6702, 6720, 6724, 6738, 6739, 6764, 6771, 6793, 6795 REPEAL: 6486.7, 6736
04/02/15	AMEND: 18530.4, 18530.45	04/09/15 AMEND: 3435(b)
03/24/15	AMEND: 1900	04/08/15 AMEND: 3435(b)
03/23/15	AMEND: 1189.10	04/06/15 AMEND: 3
03/23/15	AMEND: 59740	03/20/15 AMEND: 3435(b)
<b>Title 3</b>		<b>Title 4</b>
08/17/15	AMEND: 2100	08/19/15 AMEND: 1433
08/14/15	ADOPT: 450, 450.1, 450.2, 450.3, 450.4, 451, 452	07/31/15 ADOPT: 1866.1 AMEND: 1844
08/10/15	AMEND: 6148, 6148.5, 6170, 6216	07/28/15 AMEND: 10325
08/10/15	AMEND: 3435(b)	07/23/15 AMEND: 1632
08/10/15	AMEND: 3435(b)	07/22/15 AMEND: 400, 401, 402, 403, 404, 405, 406
		07/15/15 AMEND: 1588
		07/02/15 AMEND: 5205, 5230, 5170
		06/04/15 ADOPT: 1891.1
		05/19/15 ADOPT: 8130, 8131, 8132, 8133, 8134, 8135, 8136, 8137, 8138
		05/07/15 AMEND: 10325
		05/07/15 AMEND: 10315, 10322, 10325, 10327
		05/04/15 AMEND: 8035(e)-(f)
		04/27/15 AMEND: 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.11
		04/21/15 AMEND: 150
		04/09/15 AMEND: 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10187
		04/07/15 AMEND: 87102, 87455, 87465, 87469, 87615, 87616, 87632, 87633
		04/06/15 ADOPT: 10080, 10081, 10082, 10083, 10084, 10085, 10086, 10087
		04/06/15 AMEND: 278

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03/30/15	ADOPT: 8078.3, 8078.4, 8078.5, 8078.6, 8078.7	80.176, 80.177, 80.3000, 80.3001, 80.3002, 80.4000, 80.4100, 80.4101, 80.4102, 80.4103, 80.4104, 80.4105, 80.4106, 80.4107, 80.4108, 80.4109, 80.4111, 80.4113, 80.4115, 80.4117, 80.4118, 80.4119, 80.4120, 80.4121, 80.4123, 80.4124, 80.4125, 80.4126, 80.4127, 80.4200, 80.4201, 80.4300, 80.4301, 80.4302, 80.4303, 80.4304, 80.4308, 80.4309, 80.4310, 80.4311, 80.4312, 80.4313, 80.5000, 80.5200, 80.5201, 80.5300, 80.5301, 80.5302, 80.5303, 80.5304, 95.5025, 95.5030
<b>Title 5</b>		
07/30/15	ADOPT: 71105, 71105.5, 71410, 71471, 71775, 71775.5, 74240, 74250, 75140 AMEND: 70000, 71400, 71650, 75150	
07/20/15	ADOPT: 80054.1 AMEND: 80054	
05/21/15	AMEND: 19810	
05/18/15	AMEND: 19810	
<b>Title 8</b>		
08/12/15	AMEND: 30, 30.5, 31.1, 100, 104, 105, 106, 109	
08/10/15	AMEND: 333, 336	
07/30/15	ADOPT: 5184 AMEND: 5185	
07/06/15	AMEND: 5530, 5568, 5572, 5574, 5575, 5621, 2540.7, 2540.8	
04/30/15	ADOPT: 9980, 9981, 9982, 9983 AMEND: 9990, 9992, 10208.7 REPEAL: 9994	07/29/15 AMEND: 5350, 5353, 5354, 5354.1, 5356, 5357.1, 5357.2, 5358.6, 5358.7, 5358.10 REPEAL: 5358.1
04/30/15	AMEND: 4345, 4351, 4352, 4354	07/29/15 AMEND: 5350, 5357.1
04/30/15	AMEND: 1618.1(e)	07/27/15 ADOPT: 2240.15, 2240.16, 2240.6, 2240.7 AMEND: 2240, 2240.1, 2240.4, 2240.5
04/20/15	ADOPT: 9792.21.1, 9792.25.1 AMEND: 9792.20, 9792.21, 9792.23, 9792.24.1, 9792.24.3, 9792.25, 9792.26	07/06/15 ADOPT: 6850, 6852, 6854, 6856, 6858, 6860, 6862, 6864, 6866, 6868
04/06/15	AMEND: 9701, 9702	06/29/15 ADOPT: 2194.18, 2194.19, 2194.20, 2194.21, 2194.22, 2194.23, 2194.24, 2194.25, 2194.26
04/06/15	ADOPT: 17300, 17301, 17302, 17303, 17304, 17305, 17306, 17307, 17308, 17309, 17310	06/15/15 ADOPT: 6432
04/03/15	AMEND: 3395	05/26/15 ADOPT: 2563
<b>Title 9</b>		
07/16/15	ADOPT: 3200.182, 3200.183, 3200.184, 3510.020, 3580, 3580.010, 3580.020, 3900, 3905, 3910, 3910.010, 3910.015, 3910.020, 3915, 3925, 3930, 3935	05/11/15 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, 6622
06/15/15	AMEND: 4210	
06/01/15	ADOPT: 4530, 4530.1, 4530.2, 4530.3, 4530.4, 4530.5, 4530.6, 4530.7, 4530.8, 4530.9, 4530.10, 4530.11, 4530.12	04/27/15 REPEAL: 3530
05/27/15	AMEND: 7400	04/27/15 ADOPT: 6900, 6901, 6902, 6903, 6904, 6905, 6906, 6907, 6908
<b>Title 10</b>		
08/19/15	AMEND: 1422.6.1, 1422.6.3, 1950.122.5.1, 1950.122.5.3	04/13/15 ADOPT: 5508, 5509, 5510, 5511, 5512, 5513, 5514, 5515, 5516
08/11/15	ADOPT: 80.125.10, 80.129, 80.158.10, 80.166.10, 80.4100.10, 80.4105.10, 80.4105.11, 80.4118.10, 80.4118.11, 80.4305, 80.5100, 80.5200.1, 80.5210, 80.5304.1, 80.5305, 95.600 AMEND: 80.1, 80.2, 80.3, 80.4, 80.5, 80.6, 80.7, 80.8, 80.9, 80.100, 80.125, 80.126, 80.150, 80.151, 80.152, 80.153, 80.154, 80.155, 80.156, 80.157, 80.158, 80.159, 80.160, 80.161, 80.162, 80.163, 80.164, 80.165, 80.166, 80.167, 80.168, 80.169, 80.170, 80.172, 80.173, 80.174, 80.175,	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
<b>Title 11</b>		
		08/17/15 AMEND: 1009
		06/24/15 AMEND: 1005, 1007, 1008
		06/02/15 AMEND: 999.5
		05/13/15 AMEND: 51.14

05/13/15	AMEND: 51.17	03/30/15	ADOPT: 3550.17
05/13/15	AMEND: 51.22		
<b>Title 13</b>		<b>Title 15</b>	
08/12/15	AMEND: 268.12, 285.06, 330.08	08/06/15	ADOPT: 8005 AMEND: 8004, 8004.2, 8004.3
07/29/15	AMEND: 125.00, 125.02, 125.12, 125.16, 125.18, 125.20, 126.00, 127.00, 127.08 REPEAL: 126.02	07/31/15	AMEND: 3043, 3044
06/19/15	ADOPT: 16.00, 16.02, 16.04, 16.06, 16.08, 16.10, 16.12, 16.14	07/27/15	ADOPT: 3410.2 AMEND: 3000, 3173.2, 3287, 3410.1
05/29/15	ADOPT: 1153 AMEND: 1150.1, 1150.2, 1151.1, 1151.2, 1151.3, 1151.4, 1151.5, 1151.5.1, 1151.6, 1151.7, 1151.8, 1151.8.1, 1151.8.2, 1151.8.3, 1151.8.4, 1151.9, 1151.9.1, 1151.10, 1151.10.1, 1152.1, 1152.2, 1152.2.1, 1152.3, 1152.3.1, 1152.4, 1152.4.1, 1152.4.2, 1152.5, 1152.6, 1152.6.1, 1152.7, 1152.7.1 REPEAL: 1152.8	07/15/15	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, 1854, 1856, 1860, 1866, 1867, 1868, 1870, 1872, 1876, 1878, 1888, 1890, 1892 REPEAL: 1857
04/09/15	AMEND: 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629	06/18/15	ADOPT: 1712.3, 1714.3, 1730.3, 1740.3 AMEND: 1700, 1706, 1712.2, 1714.2, 1730.2, 1731, 1740.2, 1747, 1747.1, 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
<b>Title 14</b>		06/17/15	AMEND: 3000, 3268, 3268.1, 3268.2
08/04/15	AMEND: 13055	06/02/15	AMEND: 3124
07/31/15	ADOPT: 662	06/01/15	ADOPT: 3335.5, 3341.1, 3341.2, 3341.3, 3341.4, 3341.5, 3341.6, 3341.7, 3341.8, 3341.9 AMEND: 3000, 3044, 3269, 3269.1, 3335, 3336, 3337, 3338, 3339, 3340, 3341, 3341.5, 3342, 3343, 3344
07/29/15	AMEND: 27.65, 28.38	05/29/15	ADOPT: 8113
07/23/15	AMEND: 816.03	05/26/15	ADOPT: 8100, 8102, 8104, 8105, 8106, 8107, 8108, 8110, 8111, 8112, 8114, 8118, 8119, 8119.1, 8120 AMEND: 8000
07/21/15	ADOPT: 18959, 18960, 18961, 18962, 18963, 18964, 18965, 18966, 18967, 18968, 18969, 18970, 18971	05/26/15	AMEND: 2275
07/13/15	AMEND: 1038, 1052.1	05/26/15	AMEND: 233
07/10/15	ADOPT: 748.5	04/30/15	AMEND: 3006, 3134.1, 3135
07/02/15	ADOPT: 8.01	04/27/15	ADOPT: 3999.18
07/01/15	AMEND: 7.50	04/22/15	AMEND: 3001, 3042, 3043, 3084.7, 3379, 3768.2
06/26/15	ADOPT: 250.1 AMEND: 311, 353, 464, 465, 475, 485 REPEAL: 355	04/16/15	ADOPT: 3410.1 AMEND: 3173.2
06/24/15	AMEND: 165	<b>Title 16</b>	
06/22/15	ADOPT: 364.1 AMEND: 360, 361, 362, 363, 364, 702, 708.5, 708.11, 713	08/19/15	ADOPT: 2744, 2744.1
06/22/15	AMEND: 1665.7	08/18/15	ADOPT: 309, 309.1, 309.2, 309.3, 309.4
06/22/15	AMEND: 895.1, 1038, 1038.2	08/06/15	AMEND: 109
06/04/15	AMEND: 7.50	08/03/15	AMEND: 19
05/28/15	AMEND: 3550.14	07/27/15	AMEND: 2517.5, 2575.5
05/21/15	AMEND: 708.3, 708.10, 708.11	07/23/15	AMEND: 98
05/01/15	AMEND: 27.80	06/29/15	AMEND: 961
04/28/15	AMEND: 28.20, 28.95	06/25/15	AMEND: 1313.01, 1313.02, 1313.03, 1313.04, 1313.05, 1313.06
04/27/15	AMEND: 1273.01, 1273.02, 1273.05, 1273.06, 1273.07, 1273.08, 1273.10, 1273.11, 1274.01, 1274.09, 1275.00, 1275.01, 1275.10, 1275.15, 1276.00, 1276.03	06/23/15	AMEND: 1888
04/24/15	AMEND: 7.50	06/10/15	AMEND: 1388, 1388.6, 1389, 1392
04/20/15	ADOPT: 1760.1, 1779.1	06/02/15	ADOPT: 1399.469.1, 1399.469.2 AMEND: 1399.405, 1399.419
04/06/15	AMEND: 15411	04/10/15	ADOPT: 1746.3
04/01/15	AMEND: Heading of Division 7		
04/01/15	AMEND: 1.73, 27.75, 27.80		

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04/09/15 ADOPT: 1399.326, 1399.329, 1399.343,  
1399.344, 1399.345, 1399.346 AMEND:  
1399.301, 1399.350, 1399.351,  
1399.352, 1399.395

04/09/15 AMEND: 4161

04/08/15 AMEND: 3306, 3310, 3340.10, 3351.1

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

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06/15/15 30104, 30110, 30118, 30126, 30145,  
30145.1, 30146, 30131, 30336.8, 30408,  
30409, 30456.8, 30535

06/05/15 AMEND: 100500

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06/15/15 AMEND: 30104, 30110, 30118, 30126,  
30145, 30145.1, 30146, 30231, 30336.8,  
30408, 30409, 30456.8, 30535

06/02/15 ADOPT: 60002 AMEND: 7583, 7601,  
7604, 7626, 7629, 60313, 64212, 64213,  
64214, 64251, 64252, 64254, 64257,  
64260, 64400.34, 64400.50, 64402,  
64412, 64414, 64415, 64416, 64421,  
64422, 64423, 64423.1, 64424, 64425,  
64426, 64426.1, 64426.5, 64427, 64432,  
64432.1, 64432.2, 64432.3, 64432.8,  
64433, 64433.2, 64433.3, 64433.7,  
64433.8, 64434, 64442, 64443, 64445,  
64445.1, 64445.2, 64447, 64448, 64449,  
64449.2, 64449.4, 64449.5, 64463,  
64463.1, 64463.4, 64463.7, 64465,  
64469, 64470, 64481, 64482, 64483,  
64533, 64533.5, 64534, 64534.2,  
64534.8, 64535.2, 64535.4, 64536,  
64536.2, 64536.6, 64537, 64537.2,  
64537.4, 64551.100, 64554, 64556,  
64558, 64560, 64572, 64582, 64583,  
64585, 64593, 64600, 64604, 64650,  
64651.10, 64651.32, 64651.91, 64652.5,  
64653, 64653.5, 64656, 64656.5, 64658,  
64659, 64660, 64661, 64662, 64663,  
64664, 64664.2, 64665, 64666 REPEAL:  
60400, 60401, 60402, 60403, 60404,  
60405, 60406, 60407, 60410, 60415,  
60425, 60435, 60440, 60445, 60450,

60455, 60460, 60465, 60470, 60475,  
64197

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07/27/15 ADOPT: 474

06/25/15 AMEND: 1591

06/25/15 AMEND: 308.6

05/13/15 AMEND: 1685.5

05/06/15 AMEND: 1598.1

05/06/15 AMEND: 1533.2

04/30/15 AMEND: 1621

03/19/15 AMEND: 472, 902, 904

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08/19/15 AMEND: 1602, 1604, 1605.1, 1605.3,  
1606

06/25/15 AMEND: 3.3

06/09/15 AMEND: 1682

05/29/15 ADOPT: 1609

05/21/15 AMEND: 3103

05/15/15 AMEND: 1601, 1602, 1604, 1605.1,  
1605.2, 1605.3, 1606

**Title 22**

08/17/15 AMEND: 97174

08/17/15 ADOPT: 51000.9.5, 51000.15.5,  
51000.24.3, 51000.24.4, 51000.24.4.1,  
51000.24.5, 51000.24.8, 51000.70,  
51000.75 AMEND:

51000, 51000.7, 51000.20, 51000.30,  
51000.31, 51000.35, 51000.40,  
51000.45, 51000.60, 51051, 51341.1

07/23/15 AMEND: 97177.15, 97244

07/16/15 AMEND: 60301.400, 60301.800, 60310,  
64431, 64432, 64482

07/14/15 AMEND: 51341.1

06/24/15 ADOPT: 50188

06/10/15 AMEND: 72443, 72449, 72467

06/03/15 AMEND: 66262.12(b)

06/01/15 AMEND: 101169(d)(18), 101225(f),  
101425(d)(2)

05/27/15 AMEND: 72516, 73518

05/20/15 AMEND: 52000

05/12/15 ADOPT: 51193.1, 51193.3 AMEND:  
51051, 51113, 51311, 51511.6, 51531

04/30/15 AMEND: 97232

04/07/15 AMEND: 51516.1

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07/06/15 ADOPT: 876

06/23/15 ADOPT: 35270 AMEND: 35037, 35181,  
35183, 35184, 35269, 35271, 35273

06/19/15 ADOPT: 3949.11

06/19/15 ADOPT: 7125.1 AMEND: 7113, 7116,  
7118, 7119, 7125, 7127

05/19/15 AMEND: 2919

05/19/15 ADOPT: 3949.10

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05/18/15	ADOPT: 863, 864, 865, 866	<b>Title MPP</b>	
05/15/15	AMEND: 2916	07/20/15	ADOPT: 42-708, 42-709 AMEND: 42-302, 42-701, 42-711, 42-712, 42-714, 42-716, 42-720, 42-721, 42-722, 42-802, 42-1009, 42-1010, 44-111
05/04/15	AMEND: 3939.21		
05/04/15	AMEND: 3939.18, 3939.20		
04/22/15	ADOPT: 600, 600.1, 600.2, 600.3, 600.4, 601, 602, 603, 603.5, 604, 605, 606, 607.1, 607.2, 607.3, 608.1, 608.2, 608.3, 610.1, 610.2, 610.3, 610.4, 610.5, 610.6, 610.7, 610.8, 610.9, 610.10, 610.11, 612.1, 612.2, 612.3, 612.4, 612.5, 612.6, 612.61, 612.62, 612.63, 612.64, 612.65, 612.66, 612.67, 615.1, 615.2, 615.3, 618, 620, 625.1, 625.2, 625.3, 625.4, 625.5, 625.6, 625.7, 635.0	06/29/15	ADOPT: 42-749 AMEND: 41-440, 42-711, 42-716, 44-207
03/30/15	ADOPT: 877, 878, 878.1, 878.2, 879, 879.1, 879.2	06/17/15	ADOPT: 40-039 AMEND: 22-071, 22-072, 22-305, 40-103, 40-105, 40-107, 40-119, 40-125, 40-128, 40-173, 40-181, 40-188, 40-190, 41-405, 42-209, 42-213, 42-221, 42-406, 42-407, 42-716, 42-721, 42-751, 42-769, 44-101, 44-102, 44-111, 44-113, 44-115, 44-133, 44-205, 44-207, 44-211, 44-304, 44-305, 44-313, 44-315, 44-316, 44-318, 44-325, 44-327, 44-340, 44-350, 44-352, 48-001, 80-301, 80-310, 82-612, 82-812, 82-820, 82-824, 82-832, 89-110, 89-201
03/27/15	AMEND: 879(c)		
03/27/15	ADOPT: 863, 864, 865	05/12/15	AMEND: 31-502
03/18/15	AMEND: 3939.10	05/06/15	AMEND: 31-502
<b>Title 25</b>			
05/26/15	ADOPT: 6932 REPEAL: 6932		
<b>Title 27</b>			
07/06/15	ADOPT: 25904		

