



California Regulatory Notice Register

REGISTER 2014, NO. 51-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

DECEMBER 19, 2014

PROPOSED ACTION ON REGULATIONS

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..... Government Operations Agency

Amendment

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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.

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

PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

ADOPTION

STATE AGENCY: Governor’s Office of Business and Economic Development
Government Operations Agency

AMENDMENT

MULTI-COUNTY

AGENCY: Sacramento Municipal Utility District
Central Valley Financing Authority
Sacramento Cogeneration Authority
Sacramento Municipal Utility District Financing Authority
Sacramento Power Authority

A written comment period has been established commencing on December 19, 2014, and closing on **February 2, 2015**. Written comments should be directed to the Fair Political Practices Commission, Attention Ivy Branaman, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission’s Executive Director for her review, unless any interested person or his/her duly authorized representative requests, no later than 15 days prior to

the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **February 2, 2015**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Ivy Branaman, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

**AVAILABILITY OF PROPOSED
CONFLICT-OF-INTEREST CODES**

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

**TITLE 2. GOVERNMENT OPERATIONS
AGENCY**

NOTICE IS HEREBY GIVEN that the Government Operations Agency (Agency) is proposing to adopt a conflict-of-interest code.

A written comment period will be established commencing on December 19, 2014 and closing on February 2, 2015. Written comments should be directed to the Government Operations Agency, Attention, Holly Pearson, 915 Capitol Mall, Suite 200, Sacramento, California 95814. Email: holly.pearson@govops.ca.gov. Phone: 916.651.9041.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Fair Political Practices Commission's Executive Director for her review, unless any interested person or his/her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing. If a public hearing is requested, information on the date and time of the hearing will be provided to all parties that have submitted comments.

The Agency, pursuant to Government Code Section 87302, has determined that the proposed code meets all legal requirements and only employees who participate or make governmental decisions must disclose certain investments, interests in real property and income.

Any interested person may present statements, arguments or comments, in writing to the Agency's contact. Any written comments must be received no later than February 2, 2015.

COST TO OTHER AGENCIES

There shall be no new or increased costs to other local, state or federal agencies, including a school district, which may result from compliance with this code. There is no imposed cost or savings that is required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of the Government Code.

**EFFECT ON HOUSING COSTS
AND BUSINESSES**

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

AUTHORITY

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

REFERENCE

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

CONTACT

Any inquiries concerning the proposed conflict-of-interest code should be made to: Holly Pearson, 915 Capitol Mall, Suite 200, Sacramento, California 95814. Email: holly.pearson@govops.ca.gov. Phone: 916.651.9041.

**AVAILABILITY OF PROPOSED
CONFLICT-OF-INTEREST CODES**

Copies of the proposed conflict-of-interest code may be obtained from the Agency from the contact named above.

TITLE 2. GOVERNOR’S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE OF THE Governor’s Office of Business and Economic Development (GO-Biz)

NOTICE IS HEREBY GIVEN that the Governor’s Office of Business and Economic Development, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its Conflict-of-Interest Code. The purpose of these amendments is to implement the requirements of sections 87300 through 87302, and section 87306 of the Government Code.

The Governor’s Office of Business and Economic Development 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.

This amendment adds new Designated Positions and Disclosure Categories and makes other technical changes to reflect the current organizational structure of the Department. Copies of the amended code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed amendments by submitting them in writing no later than February 2nd 2015, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person’s representative requests a public hearing, he or she must do so no later than January 19th 2015, by contacting the Contact Person set forth below.

The Governor’s Office of Business and Economic Development has prepared a written explanation of the reasons for the proposed amendments and has available the information on which the amendments are based. Copies of the proposed amendments, the written explanation of the reasons, and the information on which the amendments are based may be obtained by contacting the Contact Person set forth below.

The Governor’s Office of Business and Economic Development 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.

In making these proposed amendments, the Governor’s Office of Business and Economic Development must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected persons than the proposed amendments.

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

Grace Arupo-Rodriguez
 1325 J Street, Suite 1800
 Sacramento, CA 95814
 (916) 322-0694
 Grace.Arupo-Rodriguez@gov.ca.gov

TITLE 10. DEPARTMENT OF INSURANCE

NOTICE OF PROPOSED ACTION AND NOTICE OF PUBLIC HEARING

Workers’ Compensation Policy Forms

Date: December 9, 2014

Regulation File: REG-2014-00014

SUBJECT OF PROPOSED RULEMAKING

Notice is given that a public hearing will be held regarding the adoption of amendments to California Code of Regulations (“CCR”) Title 10, Chapter 5, Subchapter 2, Article 7, Sections 2250 through 2269.14, “Workers’ Compensation Policy Forms,” and Title 10, Chapter 5, Subchapter 2, Article 1, Sections 2218 through 2218.1, “Document Submission and Approval Procedures; Fees.” The proposed amendments add to, delete from, clarify, make consistent, and update the existing regulations implementing, interpreting, and making specific the provisions of Insurance Code Sections 790.03, 11590, 11650, 11651, 11652, 11653, 11654,

11655, 11656, 11656.7, 11656.8, 11656.9, 11657, 11658, 11659, 11660, 11661, 11661.5, 11661.6, 11662, 11663, 11664, 11734, 11735(e), 11736, 11737, 11750.1(b), 11750.1(e), 11750.3(e), 11751.1, 11751.4, 11751.5, 11752.6, 11752.8, 12926 and 12957, Labor Code Section 3700, and California Code of Regulations, Title 10, Sections 2250, 2251, 2253, 2254, 2256, 2259, 2260, 2266, 2267, 2268 and 2269.11.

PUBLIC HEARING DATE AND LOCATION

The Commissioner will hold a public hearing to provide all interested persons an opportunity to present statements or arguments, either orally or in writing, with respect to these regulations, as follows:

Date and time: February 2, 2015 at 10:00 a.m.
**Location: Department of Insurance
Administrative Hearing Bureau
Hearing Room
45 Fremont Street, 22nd Floor
San Francisco, CA 94105**

The hearing will continue on the date noted above until all testimony has been submitted or until 5:00 p.m., whichever is earlier.

ACCESS TO HEARING ROOMS

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person(s) for the hearing in order to make special arrangements, if necessary.

PRESENTATION OF WRITTEN COMMENTS; CONTACT PERSONS

All persons are invited to submit written comments on the proposed regulations during the public comment period. The public comment period will end at **5:00 p.m. on Monday, February 2, 2015**. Please direct all written comments to the following contact person:

Patricia Hein, Attorney IV
California Department of Insurance
45 Fremont Street, 21st floor
San Francisco, CA 94105
Telephone: (415) 538-4430
Patricia.Hein@insurance.ca.gov

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. If she is unavailable, inquiries may be addressed to the following backup contact person:

Christina Carroll, Attorney
California Department of Insurance
300 Capitol Mall, 16th floor
Sacramento, CA 95814
Telephone: (916) 492-3283
Christina.Carroll@insurance.ca.gov

Please note that under the California Public Records Act (Government Code Section 6250, et seq.), your written and oral comments, and associated contact information (e.g., your address, phone number, e-mail, etc.) become part of the public record and can be released to the public upon request.

DEADLINE FOR WRITTEN COMMENTS

All written materials must be received by the Insurance Commissioner, addressed to the contact person at her address listed above, no later than **5:00 p.m. on Monday, February 2, 2015**. Any written materials received after that time will not be considered.

COMMENTS TRANSMITTED BY E-MAIL OR FACSIMILE

The Commissioner will accept written comments transmitted by e-mail provided they are sent to the following e-mail address: patricia.hein@insurance.ca.gov. The Commissioner will also accept written comments transmitted by facsimile provided they are directed to the attention of Patricia Hein and sent to the following facsimile number: (415) 904-5490. **Comments sent to e-mail addresses or facsimile numbers other than those designated in this notice will not be accepted. Comments sent by e-mail or facsimile are subject to the deadline set forth above for written comments.**

AUTHORITY AND REFERENCE

The Insurance Commissioner proposes to adopt amendments to CCR Title 10, Chapter 5, Subchapter 2, Article 7, Sections 2250 et seq. and CCR Title 10, Chapter 5, Subchapter 2, Article 1, Sections 2218 et seq. pursuant to the rulemaking authority vested in him by California Insurance Code sections 1011(e), 1065.1, 11657, 11658, 11659, 11660, 11750.3, 11751.4, 11751.5, 11752.6, 11752.8, 12919, 12921(a) and 12957, *CalFarm Ins. Co. v. Deukmejian*, 48 Cal.3d 805 (1989), and *20th Century Ins. Co. v. Garamendi*, 8 Cal.

4th 216 (1994). The Commissioner’s proposed amendments to CCR Sections 2250 et seq. and 2218 et seq. will implement, interpret, and make specific the provisions of Insurance Code sections 790.03, 11590, 11650, 11651, 11652, 11653, 11654, 11655, 11656, 11656.7, 11656.8, 11656.9, 11657, 11658, 11659, 11660, 11661, 11661.5, 11661.6, 11662, 11663, 11664, 11734, 11735(e), 11736, 11737, 11750.1(b), 11750.1(e), 11750.3(e), 11751.1, 11751.4, 11751.5, 11752.6, 11752.8, 12926 and 12957, Labor Code Section 3700, and CCR Title 10, Sections 2250, 2251, 2253, 2254, 2256, 2259, 2260, 2266, 2267, 2268 and 2269.11.

INFORMATIVE DIGEST

SUMMARY OF EXISTING LAW

The legislature implemented Insurance Code section 11658 to prohibit insurers from using workers’ compensation policy and endorsement forms until after they are filed with the rating organization, submitted to the Commissioner, and approved for use by the Commissioner. In general, an insurer may not use a form until 30 days have elapsed from the time of the submission of the form to the Commissioner if he or she has not acted upon the form, except the Commissioner may give written approval of the form prior to the end of the 30–day period. If the Commissioner notifies the insurer that the policy form or endorsement does not comply with the requirements of the law and specifies the reason for his or her opinion, it is unlawful for the insurer to issue that policy or endorsement form.

Insurers may issue limited workers’ compensation policies, as provided in Insurance Code section 11657, insuring either the whole or any part of the liability of any employer for compensation. Insurers may not use any form that limits or restricts coverage without express approval by the Commissioner. The approved form limiting coverage shall not otherwise limit coverage unless approved by the Commissioner.

If an insurer fails to comply with the policy and endorsement form approval requirements, Insurance Code section 11657 provides that the policy is unlimited.

The rating organization performs various functions as specified in Insurance Code section 11750.3, including the examination of workers’ compensation policy and endorsement forms.

Insurers are required to submit policy forms and endorsements to the rating organization. The rating organization must examine the forms and then submit the forms to the Commissioner for approval.

Once forms are approved for use, Insurance Code section 12957 authorizes the Commissioner to with-

draw approval of forms that were previously approved upon grounds that would have applied to the original submission. The Commissioner shall withdraw approval in writing and specify the grounds for the withdrawal of approval. If the insurer requests a hearing, the Commissioner shall grant and commence the hearing within 30 days of the filing of a written demand; otherwise the notice of withdrawal of approval shall become ineffective upon the 31st day from the date of the demand.

EFFECT OF PROPOSED ACTION

The amendments to Title 10 CCR 2250 will add a “Definitions” section to provide a reference point to locate the meanings of terms that are used in the regulations regarding the process for approval, withdrawal of approval, and use of policy forms and endorsements.

The amendments to Title 10 CCR 2251 will update the regulations to comport with current law and provide a concise overview of procedures for the submission of policy forms and endorsements, including restrictions on the use of policy forms and endorsements. This will help insurers navigate the complexities between the various types of forms that require actual approval before they may be used versus those that may be used if the Commissioner takes no action within 30 days.

The amendments to Title 10 CCR 2252 will clarify that the cited sections apply to all policy forms and endorsements, and not solely to endorsements as the current title suggests. This clarifies that the section encompasses the entire policy and endorsement submission process.

The amendments to Title 10 CCR 2253 will set forth a consistent method of identifying the policy to which the endorsement is attached and will give the rating organization the ability to accurately match policies and endorsements that are part of the overall coverage agreement. This will prevent the misidentification of an endorsement, which would cause confusion and uncertainty as to whether a particular endorsement is a part of a particular policy.

The amendments to Title 10 CCR 2254 will align the regulations with insurers’ practices by updating the regulations to be consistent with the use of computers to make changes and additions to policy information. This proposed change codifies the long–standing process and procedures for a rating organization to submit standard and non–standard forms to the Commissioner and outlines the procedures that an insurer must follow to use standard forms.

The deletion of the provisions under Title 10 CCR 2255 will eliminate an obsolete regulation that is no longer applicable in the era of modern technology and eliminate confusion as to its meaning and applicability.

The amendments to Title 10 CCR 2256 create one section that is organized, easy to understand, and enables insurers to readily locate information about how to make amendments or alterations to policy forms and endorsements. The changes reflect the use of modern technology and actual current practice.

The amendments to Title 10 CCR 2257 create one comprehensive regulation that addresses the differences and conditions for the issuance and use of (1) standard policy and endorsement forms, (2) non-standard policy and endorsement forms, and (3) limiting and restricting or customized limiting and restricting forms. The proposed amendments move the mandatory text to CCR 2260 to reorganize these provisions to reduce the likelihood of confusion as to the use of a particular form. It also places the provision in logical sequence with other sections governing the use of each form and enhances clarity and consistency.

The amendments to Title 10 CCR 2258 enable the elimination of all California Approved Forms (“CAFs”) and the development of new standard forms by the rating organization in order to reduce confusion and provide a comprehensive and easily identifiable section that sets forth a clear and consistent convention for form identification.

The amendments to Title 10 CCR 2259 address the manner in which limiting and restricting endorsements may be used, which will promote efficiency and reduce wasteful costs in the erroneous use of forms that are not covered by this section. Also, text will be eliminated in this section to delete reference to obsolete and outdated forms. This section enables the elimination of the California Approved Form (“CAF”) No. 11, as well as all other CAFs, to create a standard guideline and allow flexibility in changing forms in the future.

Title 10 CCR 2260 provides specific language that must be included in the limiting and restricting form. This proposed section will be moved from existing Title 10 CCR 2257 for purposes of organization and clarity to follow in logical sequence after the provisions that govern the use of forms.

The proposed deletion of Title 10 CCR Sections 2261, 2262, 2263, 2264, and 2265 reflect the planned elimination of the California Approved Forms (“CAFs”) in order to eliminate the confusion surrounding use of the forms and enable flexibility in the development of new forms.

The proposed amendments to Title 10 CCR 2266 will eliminate the obsolete reference to CAF-11 and allow the elimination of the CAF-11, which is onerous and confusing. The proposed amendments will also add a section that clarifies the procedure to submit customized limiting and restricting endorsements.

The proposed deletion of Title 10 CCR 2267 reflects the planned elimination of all CAFs and development

of new standard forms, which will reduce errors because the existing forms are onerous, confusing, and often used inaccurately. It will also allow for flexibility to create new forms.

The proposed addition of Title 10 CCR 2267.1 will provide mandatory language for the newly created customized limiting and restricting endorsement forms in order to promote consistency, ensure that all limitations and restrictions are clearly identified in bold or underlined typeface, and ensure the employer is aware of the legal requirement and ramifications for failure to secure workers’ compensation coverage for all employees.

The proposed amendments to Title 10 CCR 2268 will not change the intended meaning of the text, but will clarify existing law that it is the duty of an insurer not to use a collateral agreement unless it is a part of a policy.

The proposed deletion of Title 10 CCR Sections 2269.2, 2269.3, 2269.4, 2269.7, 2269.9, 2269.10, and 2269.11, reflect the planned elimination of the CAFs in order to eliminate the confusion surrounding use of the forms and enable flexibility in the development of new forms.

The proposed amendments to Title 10 CCR 2218 will remove duplicative text and add a cross-reference to clarify the applicability of the regulations. This proposed amendment does not change existing law but provides clarifying information.

POLICY STATEMENT OVERVIEW

The current law requires the Department of Insurance to oversee the use of policy forms and endorsements in order to protect the health and safety of California’s workers. This oversight ensures workers’ compensation insurance policies and endorsements comply with the applicable law. The Commissioner must first approve policies and endorsements before an insurer may use them.

These regulations will aid insurers in the submission, approval, and use of policy forms and endorsements. The regulations will prevent confusion, decrease disputes over coverage, and eliminate the current manual processes that require the inefficient use of carbon paper.

The regulations will clarify existing regulations, benefiting insurers and employers. The proposed regulations will update the language of the existing regulations so that all provisions are relevant and applicable for future use. The proposed regulations further the goals of the authorizing statutes in providing a framework to achieve effective oversight of the use of policy forms and endorsements.

These regulations serve an important purpose — to protect California employers and workers. The regulations will promote fairness and social equity as well as

increase the openness and transparency with which the Department of Insurance conducts its review, approval, and potential withdrawal of approval of insurance policy and endorsement forms.

BENEFITS ANTICIPATED

The anticipated benefits resulting from the adoption of the proposed regulations include the protection of public health, the promotion of fairness, and an increase in openness and transparency in government by enabling the Department of Insurance to have oversight over the use of policy forms and endorsements. This oversight ensures that workers' compensation insurance policies and endorsements comply with the law and that certain types of forms may be used by insurers only if approved by the Commissioner. These regulations will give policyholders and insurers a clear understanding of the meanings of terms, the process for the approval of workers' compensation insurance policies and endorsements, the conditions of use for different types of policy and endorsement forms, the procedures and time frames for the withdrawal of approval of insurance policies and endorsements, and the manner in which the corresponding statutes will be applied.

The existing regulations are woefully out of date and the current manual procedure is onerous, inefficient, and can be confusing. The proposed regulations comport with current law and will enable a process that reflects current business practices and the use of modern technology. It will allow for the elimination of old, outdated processes, such as the mandatory use of carbon paper in form submissions, and allow flexibility in the future to reflect a changing business environment.

The proposed regulations will enhance protections to injured workers who depend upon the validity of insurance coverage to obtain indemnity and medical benefits. Compliance with the proposed regulations does not change the nature of existing job responsibilities of employees in affected industries but will serve to add certainty to insurance coverage that is mandated by law. The proposed regulations will also benefit the health and safety of injured workers by giving policyholders and insurers a clear understanding of the meanings of terms, the process for the approval of workers' compensation insurance policies and endorsements, the conditions of use for different types of policy and endorsement forms, the procedure and time frames for the withdrawal of approval of policies and endorsements, and the manner in which the corresponding statutes will be applied. This understanding will prevent the erroneous and unintentional lapse in workers' compensation coverage, which would leave workers without coverage for potential work injuries. Also, a coverage dis-

pute could arise if an insurer intended to limit or restrict coverage but erroneously used an invalid, unapproved form, resulting in a judicial determination of unlimited coverage. As a result, an insurer could be legally required to provide benefits even though premiums were not collected to cover the risk, which could lead to potential insurer insolvency.

These proposed regulations will also fill gaps in the current regulations and provide clarity that will assist insurers in complying with the law and avoiding errors that result in delays and added expense. The proposed regulations will foster consistency, transparency in the process, and benefit all insurers by providing the needed guidance to ensure the successful navigation through the form approval process.

CONSISTENCY OR COMPATIBILITY WITH EXISTING STATE REGULATIONS

The proposed regulations are not inconsistent or incompatible with existing regulations. These proposed regulations amend the only existing state regulations dealing with workers' compensation laws, and clarify or expand upon the existing regulatory framework in a consistent and compatible manner. The CDI evaluated this issue by reviewing the relevant statutes and regulations in reaching its determination that the proposed amendments are consistent and compatible with existing laws and regulations.

CCR Title 10, Chapter 5, Subchapter 2, Article 1, Sections 2201 et seq. provide general procedures and fees for document submission and approval that are applicable to multiple lines of insurance, including workers' compensation. Section 2216 requires a three-part Document Submission Formset for many types of document submissions, including workers' compensation policy forms and endorsements. Section 2216, subdivision (a) requires the formsets to be interleaved with carbon paper or printed on "No Carbon Required" paper, which is a special type of paper containing dye on the back of each page so that writing on the top sheet is copied to the pages underneath. Carbon paper and "No Carbon Required" paper are essentially obsolete in the modern world of electronic transmission.

Proposed Sections 2218 and 2254 are compatible with existing Section 2216 because they provide for electronic submission of documents to the CDI "notwithstanding Section 2216." This clarifies that the electronic transmittal process in proposed Sections 2218 and 2254 for workers' compensation policy form and endorsement submissions supercedes the archaic carbon or "No Carbon Required" paper requirements in Section 2216.

CDI also evaluated the regulations governing workers' compensation under the Department of Industrial

Relations regulations, Title 8, Division 1, Chapters 1, 4.5, and 8, and determined that the proposed regulations are consistent and compatible.

NOT MANDATED BY FEDERAL LAW

These regulations are not mandated by federal law. There are no existing federal regulations or statutes comparable to the proposed amendments to the workers' compensation policy approval regulations as no federal statutes or regulations govern workers' compensation policy approval. The CDI evaluated this issue by assessing the statutory scheme of the state's workers' compensation laws in reaching its determination that the proposed amendments are not comparable to federal laws or statutes.

OTHER STATUTORY REQUIREMENTS

The CDI evaluated whether there were other statutory matters prescribed by statute applicable to these regulations by reviewing statutes and regulations relating to this issue, and determined that there were none.

LOCAL MANDATE

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

FISCAL IMPACT

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

HOUSING COSTS

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

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESSES, INCLUDING THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The types of businesses that may be affected by the proposed regulations are workers' compensation insurers. The proposed regulations contain no recording or record-keeping requirements. The compliance requirements are as follows: Insurers are required to submit policy forms and endorsements to the rating organization for review; the rating organization must submit the forms to the Department for approval; and the forms must be approved by the Department before they may be used.

The Department has made an initial determination that the adoption of the proposed regulations may have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The Department has not considered proposed alternatives that would lessen any adverse economic impact on business and invites you to submit proposals. Submissions may include the following considerations:

1. The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.
2. Consolidation or simplification of compliance and reporting requirements for businesses.
3. The use of performance standards rather than prescriptive standards.
4. Exemption or partial exemption from the regulatory requirements for businesses.

DOCUMENT RELIED UPON

- Economic Impact Assessment.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

1. The proposed regulation will have no measurable impact on the creation of jobs within California.
2. The proposed regulation will have no measurable impact on the elimination of jobs within California.
3. The proposed regulations will have no measurable impact on the creation of new businesses within California.
4. The proposed regulations will have no measurable impact on the elimination of businesses within California.

5. The proposed regulations will have no measurable impact on the expansion of businesses currently doing business within California.

BENEFITS OF THE PROPOSED REGULATION

Worker Safety and Environmental Effects

The changes in the proposed regulations will only impact worker safety to the extent that they will enhance clarity and minimize disputes over insurance coverage. This serves to protect injured workers who depend upon the validity of insurance coverage to obtain indemnity and medical benefits. Compliance with the proposed regulations does not change the nature of existing job responsibilities of employees in affected industries. Thus, the proposed regulations will neither significantly increase nor reduce worker safety but will serve to add certainty to insurance coverage that is mandated by law. Although the regulations may minimally impact worker safety in practical application, these regulations only serve to confirm the existing process as reflected in current law. CDI has also concluded that there would be no effect on the state's environment.

Health and Welfare Effects

CDI has determined that the proposed regulations will benefit the health and safety of injured workers because they will give policyholders and insurers a clear understanding of the meanings of terms, the process for the approval of workers' compensation insurance policies and endorsements, the conditions of use for different types of policy and endorsement forms, the procedure and time frames for the withdrawal of approval of policies and endorsements, and the manner in which the corresponding statutes will be applied. This understanding will prevent erroneous and unintentional lapses in workers' compensation coverage, which would leave workers without coverage for potential work injuries. Also, a coverage dispute could arise if an insurer intended to limit or restrict coverage but erroneously used an invalid, unapproved form, resulting in a judicial determination of unlimited coverage. This could require an insurer to be legally required to provide benefits even though premiums were not collected to cover the risk, which could lead to potential insurer insolvency. This would adversely impact a worker's ability to timely obtain indemnity and medical benefits in the event of a work injury. These regulations update existing law, enhance clarity and minimize such a risk.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSONS OR ENTITIES/BUSINESSES

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

IMPACT ON SMALL BUSINESS

The Department has determined the proposed action will not directly affect small businesses since the regulations only apply to the conduct of insurers doing business in California, and pursuant to Government Code Section 11342.610(b)(2), an insurer by definition is not a small business. Employers that are small businesses will be positively affected, however, because they may derive a benefit from the enforcement of the regulations.

ALTERNATIVES

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 this action is proposed; would be as effective and less burdensome to affected private persons than the proposed action; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

CDI considered three options, the proposed regulation and the two alternatives discussed below. CDI's proposed regulation, as discussed above, is the best of the three options considered.

ALTERNATIVE 1: MAINTAIN STATUS QUO

CDI considered not adopting the proposed regulations. It could be asserted that leaving things as they are would be less burdensome and more cost-effective for insurers than the proposed regulations, and equally effective or more effective in carrying out the purpose of the proposed regulations because the provisions of Insurance Code Sections 11657, 11658, 11659, 11660, 11750.3 and 12957 are fairly clear and there is currently no impediment to full compliance with the statutes.

Reasons for rejecting it

Maintaining the status quo would be less efficient and less effective because although the applicable Insur-

ance Code sections contain a broad overview of the procedural aspects of the Commissioner’s review process, they lack necessary specificity, such as the meanings of terms, mechanics of form submission, options for addressing forms that are incomplete or legally noncompliant, time frames, and procedures for the withdrawal of approval of forms. These specific provisions ensure that the review process is efficient, uniform, effective and consistent for all insurers.

The proposed regulations also add much-needed substantive clarification to the statutes. For instance, Insurance Code Section 11658 is only described in broad, general terms, without including the essential procedural steps that will allow the process to operate as intended. Although a 30-day approval period is specified, the statute does not address the form, manner, and procedure for policy approval and disapproval. Insurance Code Section 11659 does not specify the manner in which limited policy forms and endorsements are to be used and in fact, references “rules to be adopted by the Commissioner” as a means to accomplish its purpose. Insurance Code Section 11660 provides for the unlimited use of a policy that does not comply with Sections 11657 and 11659 but does not provide a framework for a clear, consistent method to process submissions and ensure proper oversight in accordance with the law. Section 11750.3 lacks adequate details regarding the form and manner of such a process. Insurance Code Section 12957 notes that a 30-day time frame is provided to file a demand for a hearing, but there are no regulations that address the form, manner, and procedure of providing notice, conducting the hearing process and establishing the form withdrawal effective date. Insurance Code Section 11657 allows for the use of limited workers’ compensation policies if the policy is previously approved as to substance and form, but there are no guidelines for the form and manner of carrying out that process. These regulations will provide much-needed clarification in order to enable insurers to have the necessary information to successfully submit and obtain approval of forms. More importantly, they will promote fairness in the process and increase openness and transparency in the manner in which policy and endorsement forms are submitted and approved by the Department of Insurance.

Lastly, the proposed regulations will provide all stakeholders with a shared understanding of the requirements to use legally valid forms, which protects insurers and employers from making errors that could have a significant adverse impact on the industry. This understanding will prevent the erroneous and unintentional lapse in workers’ compensation coverage, which could either leave workers without coverage for potential work injuries, or result in a determination that an insurer must provide coverage due to use of an invalid

form even though it did not charge premiums to cover the risk.

ALTERNATIVE 2: TIMING OF ENDORSEMENT NOTIFICATION

CDI considered revising Section 2266 because one of the insurers at CDI’s pre-notice public discussion on September 24, 2014 commented that it seemed more appropriate to have the insurer send the Customized Limiting and Restricting Endorsement to the policyholder after approval by CDI, rather than sending it before CDI approval.

Reasons for rejecting it

This comment was considered by CDI and discussed with the WCIRB and the insurer that made the comment. The provision referenced above in Section 2266 has been in effect since at least 1961. The CDI and the WCIRB are unaware of any issues with this provision. The WCIRB stated that no insurer has submitted a Customized Limiting and Restricting Endorsement in many years, so it did not see a need for revision of this provision. CDI contacted the insurer that made the comment and informed the insurer of the information provided by the WCIRB. The insurer stated that it stopped using Customized Limiting and Restricting Endorsements about 10 years ago due to the impracticality of obtaining approval for an endorsement used only for one policy, and stated that it has no issue with leaving this procedure as is.

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

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

AVAILABILITY OF TEXT OF REGULATIONS AND STATEMENTS OF REASONS

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

of Reasons will be made available for inspection and copying once it has been prepared. Requests for the Final Statement of Reasons should be directed to the contact person listed above.

The file for this proceeding, which includes a copy of the express terms of the proposed action, the Initial Statement of Reasons, the Economic Impact Assessment, the information upon which the proposed action is based, and any supplemental information, including any reports, documentation and other materials related to the proposed action that is contained in the rulemaking file, is available by appointment for inspection and copying at 45 Fremont Street, 24th Floor, San Francisco, California 94105, between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday.

MODIFIED LANGUAGE

If the amended regulations adopted by the Department differ from those which have originally been made available 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. Interested persons should request a copy of these amended regulations prior to adoption from the contact person listed above.

AUTOMATIC MAILING

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

WEBSITE POSTINGS

Documents concerning proposed regulations are available on the Department's website at the following link: www.insurance.ca.gov/0250-insurers/0500-legal-info/0200-regulations/proposed-regulations.cfm.

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code (GC) Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Section 5058 and 5058.3, in order to implement, interpret and make specific PC section 5054, proposes to amend Sections 3000, 3043, 3334,

3336-3339, 3341.5, 3375-3375.5, 3377, 3378, and 3379 of the California Code of Regulations (CCR), Title 15, Division 3, concerning the Strategic Offender Management System (SOMS) automation of Classification and Segregation Housing.

PUBLIC HEARING

Date and Time: February 9, 2015 from 10:00 a.m. to 11:00 a.m.
 Place: Department of Corrections and Rehabilitation
 Kern Room
 1515 S Street — North Building
 Sacramento, CA 95811
 Purpose: To receive comments about this action.

INFORMATIVE DIGEST

Current regulations provide for manual processes of classifying inmates under CDCR's jurisdiction. Such information is manually entered on paper forms and used for a scoring system for inmates which affects the inmate's placement and activity.

In this regulatory action, the Secretary proposes to amend regulatory provisions by implementing the Strategic Offender Management System (SOMS) and Electronic Records Management System (ERMS) that upgrades and standardizes adult and parole data and population management practices statewide. The systems integrate to gather and compile offender information from all applicable modules and data entry screens. ERMS provides the ability for the conversion of the paper Central File (C-File), juvenile files, parole field files, or documents not contained within the SOMS application to be stored as electronic images that are contained within the ERMS application. Additionally, ERMS also provides the ability for those documents that are not contained in SOMS to be scanned into ERMS, and subsequently linked for easy retrieval from the SOMS application.

The inmate Central File (C-File) is a master file maintained by trained staff within the department containing records regarding each person committed to the jurisdiction of the department. The department has completed converting the paper C-Files into an electronic C-File, which is now called ERMS.

The classification process of felon inmates takes into consideration the inmate's needs, interests and desires, his/her behavior and placement score in keeping with the Department and institution's program and security missions and public safety. The current classification score system remains as established; however, existing

text in Title 15, Article 10, Classification, must be revised to reflect the transition of moving from completing paper classification forms to electronic data entry of classification information.

This action provides the following:

- The addition of the definition of Electronic Records Management System (ERMS) to Title 15, Section 3000.
- The revision of text within Title 15, Article 10 Classification reflecting the transition from paper classification forms to electronic data entry of classification information within established SOMS screens.
- The conversion of existing “paper” documents not contained within SOMS to be stored as electronic images within the ERMS application.
- Regulatory language previously included on a form being removed that is still relevant is now included in the regulatory text.

POLICY STATEMENT OVERVIEW

The anticipated benefits of the proposed regulations will assist staff within the CDCR, as the information previously contained on paper is now contained in a fully automated system and is readily available to CDCR staff trained in the use of SOMS and ERMS. This information will also be available to multiple users statewide.

EVALUATION OF INCONSISTENCY/INCOMPATIBILITY WITH EXISTING STATE REGULATIONS

Pursuant to Government Code 11346.5(a)(3)(D), the Department must evaluate whether the proposed regulations are inconsistent or incompatible with existing State regulations. Pursuant to this evaluation, the Department has reviewed existing regulations pertaining to the manual processes of classifying inmates within CCR, Title 15, Division 3 and determined that these proposed regulations are not inconsistent or incompatible.

LOCAL MANDATES

The Department has determined that these regulations do not impose a mandate on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500–17630.

FISCAL IMPACT STATEMENT

- Cost to any local agency or school district that is required to be reimbursed: none.
- Cost or savings to any state agency: none.
- Other nondiscretionary cost or savings imposed on local agencies: none.
- Cost or savings in federal funding to the State: none.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT AFFECTING BUSINESSES

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

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

RESULTS OF ECONOMIC IMPACT ASSESSMENT

These regulations are directed at the internal management of State prisons and do not impose any obligations, duties, fees, costs, responsibilities, reporting requirements, etc. on California businesses, large or small. No economic impacts have been brought to the attention of the Department. The Department has therefore concluded that these regulations will have no impact on the creation of new, or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California. Regarding benefits, these regulations will protect the health and safety of California residents, worker safety, and the State’s environment by providing a safe environment that will encourage visitation for families, which will have a positive impact on inmates, and increase worker safety.

EFFECT ON SMALL BUSINESSES

The Department has determined that the proposed regulations may not affect small businesses. It is determined that this action has no significant adverse economic impact on small business because they are not affected by the internal management of state prisons.

EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

CONSIDERATION OF ALTERNATIVES

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 proposed regulatory action. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

CONTACT PERSON

Please direct any inquiries regarding this action to:
Timothy M. Lockwood, Chief
Regulation and Policy Management Branch
Department of Corrections and Rehabilitation
P.O. Box 942883,
Sacramento, CA 94283-0001
Telephone (916) 445-2269

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Anthony Carter
Regulation and Policy Management Branch
Telephone (916) 445-2220

Questions regarding the substance of the proposed regulatory action should be directed to:

John McClure
SOMS
Enterprise Information Systems
California Department of Corrections and
Rehabilitation
(916) 358-1677

WRITTEN COMMENT PERIOD

The public comment period will close February 9, 2015 at 5:00 p.m. Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action (by mail, by fax, or by e-mail) to CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacra-

mento, CA 94283-0001; by fax at (916) 324-6075; or by e-mail at RPMB@cdcr.ca.gov before the close of the comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared, and will make available, the text, any documents incorporated by reference, and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the Department's contact person. The proposed text, ISOR, documents incorporated by reference, and Notice of Proposed Regulations will also be made available on the Department's website <http://www.cdcr.ca.gov>.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as, revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department 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

Following its preparation, a copy of the Final Statement of Reasons will be available on the Department's website at <http://www.cdcr.ca.gov>, and may also be obtained from the Department's contact person.

TITLE MPP. DEPARTMENT OF SOCIAL SERVICES

ORD#1212-08

NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES (CDSS)

ITEM # 1 In-Home Supportive Services (IHSS) Program Provider Enrollment Requirements

The CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested

may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held February 4, 2015, as follows:

Office Building # 8
744 P St. Room 103
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on February 4, 2015.

Following the public hearing CDSS may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

CONTACT

Office of Regulations Development
California Department of Social Services
744 P Street, MS 8-4-192
Sacramento, California 95814
TELEPHONE: (916) 657-2586
FACSIMILE: (916) 654-3286
E-MAIL: ord@dss.ca.gov

CHAPTERS

The CDSS Manual of Policies and Procedures (MPP), Social Service Standards Manual, Division 30, Chapter 30-700 (Service Program No. 7: In-Home Supportive Services), Sections 30-776 (Provider Enrollment Requirements) and 30-777 (Provider Employment Eligibility Verification).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Prior to 2004, there were essentially no requirements that an individual seeking to become a provider of services for a recipient of the IHSS program was required to complete before the individual could be enrolled as a provider and receive payment for providing services.

Between 2004 and 2011, several bills were enacted by the Legislature which established specific enrollment requirements for IHSS providers.

Senate Bill (SB) 1104 (Chapter 229, of Statutes 2004) included a provision that prohibited an individual who, within the last 10 years, has been convicted of, or incarcerated following a conviction for, 1) fraud against a government health care or supportive services program; 2) specified abuse of a child (Penal Code [PC] section 273a(a)), or abuse of an elder or dependent adult (PC section 368), from receiving payment from the IHSS program for providing services. Additionally, SB 1104 mandated that an individual seeking to become a provider for an IHSS recipient complete and sign, under penalty of perjury, a provider enrollment form which includes a statement declaring that he/she has not, in the last 10 years, been convicted of, or incarcerated following a conviction for, any of the exclusionary crimes.

Assembly Bill of the Fourth Extraordinary Session of 2009 (ABX4) 4 (Chapter 4, Statutes of 2009) mandated

that the prospective provider submit the provider enrollment form to the county in person, and present identification and allow it to be photocopied.

ABX4 19 (Chapter 17, Statutes of 2009) included additional requirements for individuals seeking to become IHSS providers, mandating that a prospective provider: undergo a criminal background check conducted by the Department of Justice; attend a provider orientation; and, sign a statement specifying that he/she agrees to comply with the program rules and requirements.

AB 1612 (Chapter 725, Statutes of 2010) expanded the list of crimes for which a conviction, or incarceration following a conviction, within the last 10 years, disqualifies an individual from being an IHSS provider, to include: 1) a violent or serious felony crime, as specified in PC section 667.5(c), and PC section 1192.7(c); 2) felony offenses for which a person is required to register as a sex offender, pursuant to PC section 290(c); and, 3) felony offenses for fraud against a public social services program, as defined in Welfare and Institutions Code sections 10980(c)(2) and (g)(2). AB 1612 also included a provision which permits an individual who has been found ineligible to be a provider on the basis of a conviction(s) for one of the crimes added by the legislation, but who otherwise meets all of the provider enrollment requirements, to provide services to a specific IHSS recipient(s) if the recipient(s) who chooses to hire the individual as his/her provider in spite of the criminal conviction(s) submits a request to the county for an individual waiver of the exclusion.

AB 876 (Chapter 73, Statutes of 2011) prohibited an individual, except for a parent, guardian, or person having legal custody of a minor recipient, a conservator of an adult recipient, or spouse or registered domestic partner of a recipient, from signing his or her own individual waiver form as the recipient's authorized representative.

As authorized by the legislation, the provider enrollment requirements have been implemented through various All County Letters (ACLs) until regulations are adopted. These proposed regulations adopt sections in the Manual of Policies and Procedures to affirm the policy directives that implemented the provider enrollment requirements.

The Department anticipates that these proposed regulations will benefit program stakeholders by consolidating the rules relating to IHSS provider enrollment requirements, which have to date been released via multiple ACLs, into a single place, the Manual of Policies and Procedures. The provider enrollment requirements themselves promote safety and security of IHSS recipients while still allowing them to hire the provider of their choice by ensuring that the individuals seeking to become providers do not have a criminal background of

disqualifying convictions, or if they do, recipients are made aware of the fact, and they may still elect to have these individuals as their providers in spite of it. Additionally, the provider enrollment requirements promote program integrity by ensuring that providers understand and agree to comply with program rules and regulations.

SB 878 (Chapter 679, Statutes of 2014) clarified that: the applicant provider attend the in-person provider orientation after completion of the provider enrollment application, the applicable rules and requirements regarding wages and overtime pay are to be included in the orientation, all oral and written materials presented at the orientation must be translated into all languages spoken by a substantial number of the population served by the IHSS Program, and representatives of the recognized employee organizations in each county shall be permitted to make a thirty-minute presentation at the orientation.

The Department reviewed existing program regulations and determined that no other regulations address the requirements for becoming an IHSS provider. Thus, these proposed regulations are not only consistent and compatible with existing state regulations but also with the intent of the Legislature in enacting SB 1104, ABX4 4, ABX4 19, AB 1612, AB 876, and SB 878.

COST ESTIMATE

1. Costs or Savings to State Agencies: The funding was budgeted under the Provider Enrollment Statement Form/Process premise and Program Integrity — Administrative Activities Premise. The requirement that all oral and written materials presented at the IHSS provider orientation be translated into all languages spoken by a “substantial number of the population” served by the IHSS Program is ambiguous. Therefore, all potential costs are currently unknown.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance With Government Code Sections 17500–17630: None.
3. Nondiscretionary Costs or Savings to Local Agencies: The funding was budgeted under the Provider Enrollment Statement Form/Process premise and Program Integrity — Administrative Activities Premise. The requirement that all oral and written materials presented at the IHSS provider orientation be translated into all languages spoken by a “substantial number of the population” served by the IHSS Program is ambiguous. Therefore, all potential costs are currently unknown.
4. Federal Funding to State Agencies: The funding was budgeted under the Provider Enrollment

Statement Form/Process premise and Program Integrity — Administrative Activities Premise. The requirement that all oral and written materials presented at the IHSS provider orientation be translated into all languages spoken by a “substantial number of the population” served by the IHSS Program is ambiguous. Therefore, all potential costs are currently unknown.

LOCAL MANDATE STATEMENT

These regulations do constitute a mandate on local agencies, but not on local school districts. There are state-mandated local costs that require reimbursement, which is provided in the Budget Act to cover any costs that local agencies may incur.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made because the regulations only apply to individuals seeking to become IHSS providers and to the recipients for whom they seek to provide services.

STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

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

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The adoption of the proposed amendments 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 requirement, contained in these regulations, that individuals seeking to become IHSS providers undergo

a criminal background check, could possibly impact businesses in the state that provide Live Scan fingerprinting services by increasing the number of individuals who seek such services. Although this will be an ongoing requirement for all individuals seeking to become IHSS providers, the bulk of the impact has already occurred because the requirement was implemented by an ACL in November 2009, and the large number of individuals who were already IHSS providers at that time had until December 2010 (initially, June 2010) to comply with this requirement. Therefore, the ongoing impact, though difficult to predict, is likely to be insignificant.

The benefits of the regulatory action to the health and welfare of California residents, worker safety, and the state’s environment are as follows:

- The provider enrollment requirements promote safety and security of IHSS recipients while still allowing them to hire the provider of their choice by ensuring that the individuals seeking to become providers do not have a criminal background of disqualifying convictions. Additionally, the provider enrollment requirements promote program integrity by ensuring that providers understand and agree to comply with program rules and regulations.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

CDSS did not consider any other alternatives to the proposed regulatory action because the authorizing legislation specified that CDSS implement the provisions for which the regulations are proposed through All County Letters or similar instruction until regulations are adopted.

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as 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.

AUTHORITY AND REFERENCE CITATIONS

The CDSS adopts these regulations under the authority granted in Sections 10553 and 10554, Welfare and

Institutions Code. Subject regulations implement and make specific Sections 12301.24, 12305.81, 12305.86, and 12305.87, Welfare and Institutions Code; Immigration Reform and Control Act of 1986, Public Law 99-603 (8 United States Code 1324a); 26 United States Code, Section 3402; and 26 Code of Federal Regulation, Section 31-3402(f)(2)-1(a).

**CDSS REPRESENTATIVE REGARDING THE
RULEMAKING PROCESS OF THE
PROPOSED REGULATION**

Contact Person: Everardo Vaca
(916) 657-2586

Backup: Kenneth Jennings
(916) 657-2586

**OAL REGULATORY
DETERMINATION**

OFFICE OF ADMINISTRATIVE LAW

**DETERMINATION OF ALLEGED
UNDERGROUND REGULATION
(Summary Disposition)**

**(Pursuant to Government Code Section 11340.5
and
Title 1, section 270, of the
California Code of Regulations)**

The attachments are not being printed for practical reasons or space considerations. However, if you would like to view the attachments please contact Margaret Molina at (916) 324-6044 or mmolina@oal.ca.gov.

**DEPARTMENT OF CORRECTIONS
AND REHABILITATION**

Date: December 8, 2014
To: Ricky Foster
From: Chapter Two Compliance Unit

**Subject: OAL DETERMINATION NO. 12 (S)
(CTU2014-1008-01)**
(Summary Disposition issued pursuant to Gov. Code, sec. 11340.5; Cal. Code Regs., tit. 1, sec. 270(f))

Petition challenging as an underground regulation Operational Procedure #611 from High Desert State Prison, titled "Inmates Filing with Court to Proceed as a Forma Pauperis"

On October 8, 2014, the Office of Administrative Law (OAL) received your petition asking for a determination as to whether Operational Procedure #611 from High Desert State Prison, titled "Inmates Filing with Court to Proceed as a Forma Pauperis (HDSP Operational Procedure #611)," constitutes an underground regulation. This HDSP Operational Procedure #611 was issued by the warden at the High Desert State Prison and is attached hereto as Exhibit A.

In issuing a determination, OAL renders an opinion only as to whether a challenged rule is a "regulation" as defined in Government Code section 11342.600,¹ which should have been, but was not adopted pursuant to the Administrative Procedure Act (APA).² Nothing in this analysis evaluates the advisability or the wisdom of the underlying action or enactment. OAL has neither the legal authority nor the technical expertise to evaluate the underlying policy issues involved in the subject of this determination.

Generally, a rule which meets the definition of a "regulation" in Government Code section 11342.600 is required to be adopted pursuant to the APA. In some cases, however, the Legislature has chosen to establish exemptions from the requirements of the APA. Penal Code section 5058, subdivision (c), establishes exemptions expressly for the California Department of Corrections and Rehabilitation (CDCR):

¹"Regulation" means every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

² Such a rule is called an "underground regulation" as defined in California Code of Regulations, title 1, section 250, subsection (a):

"Underground regulation" means any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in section 11342.600 of the Government Code, but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA and is not subject to an express statutory exemption from adoption pursuant to the APA.

(c) The following are deemed not to be “regulations” as defined in Section 11342.600 of the Government Code:

- (1) Rules issued by the director applying solely to a particular prison or other correctional facility. . . .

This exemption is called the “local rule” exemption. It applies only when a rule is established for a single correctional institution.

In *In re Garcia* (67 Cal.App.4th 841, 845), the court discussed the nature of a “local rule” adopted by the warden for the Richard J. Donovan Correctional Facility (Donovan) which dealt with correspondence between inmates at Donovan:

The Donovan inter-institutional correspondence policy applies solely to correspondence entering or leaving Donovan. It applies to Donovan inmates in all instances.

...

The Donovan policy is not a rule of general application. It applies solely to Donovan and, under Penal Code section 5058, subdivision (c)(1), is not subject to APA requirements.

Similarly, the rule challenged by your petition was issued by Ron Barnes, Warden of High Desert State Prison and applies solely to the inmates of the High Desert State Prison. Inmates housed at other institutions are governed by those other institutions’ criteria for processing of legal documents and proceeding “a Forma Pauperis.” Therefore, the rule is a “local rule” and is exempt from compliance with the APA pursuant to Penal Code section 5058(c)(1). It is not an underground regulation.³

³ The rule challenged by your petition is the proper subject of a summary disposition letter pursuant to title 1, section 270 of the California Code of Regulations. Subdivision (f) of section 270 provides:

(f)(1) If facts presented in the petition or obtained by OAL during its review pursuant to subsection (b) demonstrate to OAL that the rule challenged by the petition is not an underground regulation, OAL may issue a summary disposition letter stating that conclusion. A summary disposition letter may not be issued to conclude that a challenged rule is an underground regulation.

(2) Circumstances in which facts demonstrate that the rule challenged by the petition is not an underground regulation include, but are not limited to, the following:

- (A) The challenged rule has been superseded.
- (B) The challenged rule is contained in a California statute.
- (C) The challenged rule is contained in a regulation that has been adopted pursuant to the rulemaking provisions of the APA.
- (D) The challenged rule has expired by its own terms.

(E) An express statutory exemption from the rulemaking provisions of the APA is applicable to the challenged rule. [Emphasis added.]

The issuance of this summary disposition does not restrict your right to adjudicate the alleged violation of section 11340.5 of the Government Code.

 /s/
Debra M. Cornez
Director

 /s/
Elizabeth A. Heidig
Senior Attorney
Copy: Dr. Jeffrey Beard
 Tim Lockwood

**ACCEPTANCE OF PETITION
TO REVIEW ALLEGED
UNDERGROUND REGULATIONS**

**(Pursuant to title 1, section 270, of the California
Code of Regulations)**

The Office of Administrative Law has accepted the following petition for consideration. Please send your comments to:

Elizabeth Heidig, Senior Counsel
Office of Administrative Law
300 Capitol Mall, Ste. 1250
Sacramento, CA 95814

**DEPARTMENT OF CORRECTIONS
AND REHABILITATION**

A copy of your comment must also be sent to the petitioner and the agency contact person.

Petitioner:

Ricky Foster, D-16470
Post Office Box 3030 (C1-217)
Susanville, California 96127

Agency contact:

Timothy Lockwood
Department of Corrections and Rehabilitation
Regulations and Policy Management Branch
Post Office Box 942883
Sacramento, California 94283-0001

Please note the following timelines:

Publication of Petition in Notice Register:
December 19, 2014

Deadline for Public Comments: January 20, 2015
Deadline for Agency Response: February 2, 2015
Deadline for Petitioner Rebuttal: No later than 15 days after receipt of the agency’s response
Deadline for OAL Decision: April 20, 2015

The attachments are not being printed for practical reasons or space considerations. However, if you would

like to view the attachments please contact Margaret Molina at (916) 324-6044 or mmolina@oal.ca.gov.

ORIGINAL
COPY

PETITION TO THE OFFICE OF ADMINISTRATIVE LAW

RE: Alleged Underground Regulation

FROM: RICKY TYRONE FOSTER (Petitioner)

DATE: OCT. 7, 2014

2014 OCT 10 PM 2:42
OFFICE OF ADMINISTRATIVE LAW

Use of this form is optional. It requests the information required by California Code of Regulations, title 1, section 260, for a petition challenging an alleged underground regulation. Although you are not required to use this specific form, the mandatory information required by California Code of Regulations, title 1, section 260, including the supporting documentation, must be included in your petition. If you create a separate petition, or if you use this form and need to add extra pages, be sure that each page is labeled clearly.

1. Identifying Information:

Your name: RICKY TYRONE FOSTER, CDC#D16470

Your address: 415-750 RICE CANYON ROAD, P.O. BOX 3030, SUSANVILLE CA 96127

Your telephone number (if you have one): N/A

Your email (if you have one): N/A

2. State agency or department being challenged: CALIFORNIA DEPT OF CORRECTIONS AND REHABILITATIONS.

3. Provide a complete description of the purported underground regulation. Attach a written copy of it. If the purported underground regulation is found in an agency manual, identify the specific provision of the manual alleged to comprise the underground regulation. Please be as precise as possible. (SEE EXHIBIT - A)

4. Provide a description of the agency actions you believe demonstrate that it has issued, used, enforced, or attempted to enforce the purported underground regulation. (SEE ATTACHED PAGE 3EC.4)

(1.)

2148

5. State the legal basis for believing that the guideline, criterion, bulletin, provision in a manual, instruction, order, standard of general application, or other rule or procedure is a regulation as defined in Section 11342.600 of the Government Code AND that no express statutory exemption to the requirements of the APA is applicable. SEE ATTACHED PAGE SEC. 5

6. Provide information demonstrating that the petition raises an issue of considerable public importance requiring prompt resolution. SEE ATTACHED PAGE SEC. 6

7. (Optional) Please attach any additional relevant information that will assist OAL in evaluating your petition. SEE EXHIBIT - B & C

8. Certifications:

I certify that I have submitted a copy of this petition and all attachments to the state agency which has issued, used, enforced, or attempted to enforce the purported underground regulation:

Name of person in agency to whom petition was sent: KATHLEEN L. DICKINSON
DIRECTOR DIVISION OF ADULT
INSTITUTIONS

Agency: CDCR

Address: PO BOX 942883 SACRAMENTO CA 94283-0001

Telephone number: 916) 445-1810

I certify that all of the above information is true and correct to the best of my knowledge.

Rich Lynn Ford
Signature of Petitioner

10-7-14
Date

(2.)

Additional information, including OALs recommendations for submitting a petition, may be found on the OAL web site at www.oal.ca.gov.

If you have additional questions, contact the OAL Reference Attorney by calling (916) 323-6816, or by sending an e-mail message to staff@oal.ca.gov.

Deliver this petition, along with all supporting information, to:

Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Attention: Chapter 2 Compliance Unit

You may also fax your petition to 916-323-6826

OAL will only accept petitions and accompanying documentation delivered in hard copy, either through the mail, or by hand delivery in person or by a commercial delivery service (FedEx, UPS, etc), or by fax. We do not accept petitions via e-mail.

(3.)

[ADDITIONAL SHEET-SEC. 4]

.. PRISON OFFICIAL(S) e.g.: "CLASSIFICATION STAFF REPRESENTATIVES; CLASSIFICATION & PATROLE REPRESENTATIVES; CORRECTIONAL COUNSELORS I, II; III; WARDENS; FACILITY CAPTAINS." AT ALL LEVEL IN 270° DESIGNATED HOUSING'S: UNIT/INSTITUTIONAL-CLASSIFICATION COMMITTEES ARE UNCONSTITUTIONALLY ENFORCING / USING A "UNDERGROUND ILLEGAL REGULATION." BY ENDORSING & KNOWINGLY, TRANSFERING NON-ELIGIBILITY 270-DESIGNED LEVEL IV STATE PRISONER(S) TO LEVEL IV 180-DESIGNED PRISONS. UNDER THE FALSE PREMISE THAT:

cc... THIS LEVEL IV INMATE IS ELIGIBLE FOR 270 DESIGN HOUSING BUT IS ENDORSED FOR 180 DESIGN HOUSING [DUE] TO DEPARTMENTAL POPULATION NEEDS..." (SEE EXHIBIT-B & C).

... MOREOVER, THIS, THE PETITIONER CONTENDS, IS DONE WHILE HE, AND OTHERS SIMILARLY SITUATED STATE PRISONERS, ARE PROPERLY ALREADY ASSIGNED AT A LEVEL IV 270-DESIGNED STATE PRISON, AND FOR RETALIATIONS DUE TO FILING ANY CDCR 602-GRIEVANCES AND/OR CIVIL LITIGATIONS AGAINST PRISON OFFICIALS WHILE ALREADY ASSIGNED AT SAID LEVEL IV 270-DESIGNED PRISON, A PROTECTED LIBERTY CONDUCT INTEREST OF THE FIRST AMENDMENT TO THE U.S. CONST., WHO ARE BEING HOUSED AT LEVEL IV 180 DESIGN FOR 3 YEARS..

-- PRISON OFFICIALS (SUPRA), HOUSING INELIGIBLE LEVEL IV 270-DESIGN PRISONERS ON ANY LEVEL IV 180 DESIGN PRISON "BASED DEPARTMENTAL POPULATION NEEDS," CONSTITUTE AN ILLEGAL UNDERGROUND REGULATION IN VIOLATION OF EXHIBIT-A, SUPRA.

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[ADDITIONAL SHEET - SEC. 5]

EXHIBIT - A, SUPRA, IS A MEMORANDUM / BULLETIN / CRITERION -
GUIDELINE PROCEDURE REGULATION AS DEFINED IN SEC.
11342.600 OF THE GOV. CODE.. AND IS GOV. BY CDCR
DEPT OPERATION MANUAL (DOM) SEC. 61010.11.6..

... AND THAT NO EXPRESS STATUTORY EXEMPTION TO
THE REQUIREMENTS OF THE APA IS APPLICABLE.

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[ADDITIONAL SHEET - SEC. 6]

.. PRISON OFFICIAL(S) SUPRA, ACTIONS, INACTIONS, AND OMISSIONS OF UNCONSTITUTIONALLY ENDORSING LEVEL IV 270-DESIGNED PETITIONER AND OTHERS SIMILARLY SITUATED, ALREADY HOUSED PROPERLY AT LEVEL IV 270-DESIGNED, BUT ENDORSING TO LEVEL IV 180-DESIGNED PRISON'S WHO ARE INELIGIBLE, TO PUNISH PETITIONER AND OTHERS SIMILARLY SITUATED, FOR HOUSING AT LEVEL IV 180-DESIGNED FOR THREE(3) YEAR(S) CAUSE OF EXERCISING AN PROTECTED LIBERTY CONDUCT INTEREST, BUT IS DONE UNDER THE FALSE PREMISES; "... DUE TO DEPARTMENTAL-POPULATION NEEDS!!" VIOLATES STATE & FEDERAL LAWS, AND EXHIBIT-A, SUPRA; RIZZO V. DAWSON, 778 F.2d 527, 532 (9TH CIR. - 1985); HINES V. GOMEZ, 108 F.3d 265 (9TH CIR. 1997); WILKINSON V. AUSTIN, 545 U.S. 204, 125 S.Ct. 2384 (2005); AND CRAWFORD-EL V. BRITTON, 523 U.S. 574, 118 S.Ct. 1584 (1996); CALIFORNIA CODE OF REGULATIONS, TITLE 15, SEC'S: 3084.1(d); 3160(a); AND D.D.M. SEC. 6100.11.6.

... MOREOVER, WHERE THE PETITIONER AND OTHERS SIMILARLY SITUATED, WHO VIOLATED NO RULES OF REGULATIONS, SERVED NO SECURITY HOUSING UNIT TERMS OR, SUSPENDED SECURITY HOUSING TERMS, AND WHO'S NOT A VALIDATED MEMBER OR ASSOCIATE OF ANY STREET/ PRISON GANG'S, WHERE THERES NO RATIONALE FOR MORE RESTRICTIVE LEVEL IV 180-DESIGN HOUSING WHEN THE PETITIONER AND OTHERS SIMILARLY SITUATED NEVER EXHIBITED ANY BEHAVIORS TO JUSTIFY HOUSING LEVEL IV 270-DESIGNED PRISONERS FOR THREE(3) YEARS ONTO A LEVEL IV 180-DESIGN PRISON, DOES RAISES AN SERIOUS ISSUE OF CONSIDERABLE PUBLIC IMPORTANCE PER EXHIBIT-A, SUPRA, WHICH REQUIRING PROMPT RESOLUTIONS INTERVENTION. (SEE EXHIBITS: B, C, SUPRA).

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**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# 2014-1021-03
AIR RESOURCES BOARD
Heavy Duty CHG Phase 1

This rulemaking action aligns California regulations with U.S. EPA and National Highway Traffic Safety Administration rules regarding Greenhouse Gas emission and fuel economy standards for medium and heavy-duty vehicles. The rulemaking establishes optional low NOx emission standards. It extends liability for violations of diesel-fueled engine idling regulations to vehicle owners and motor carriers rather than just vehicle drives and expands the definition of "restricted area" for purposes of idling prohibitions. The rulemaking also updates regulations to reflect the expanding commercialization and advancement of hybrid technology into more sectors of the heavy-duty market.

Title 13, 17
California Code of Regulations
ADOPT: Title 17 95660, 95661, 95662, 95663, 95664 AMEND: Title 13 1900, 1956.8, 2036, 2037, 2112, 2139, 2140, 2147, 2485; Title 17 95300, 95301, 95302, 95303, 95305
Filed 12/05/2014
Effective 01/01/2015
Agency Contact: Trini Balcazar (916) 445-9564

File# 2014-1107-01
AIR RESOURCES BOARD
Resubmittal for Vapor Recovery Systems at GDFs and Cargo Tanks

The Air Resources Board (ARB) amended section 94014, Certification of Vapor Recovery Systems for Cargo Tanks, and section 94016, Certification of Vapor Recovery Systems at Gasoline Dispensing Facilities Using Aboveground Storage Tanks, of title 17 of the California Code of Regulations. The amendments would resolve technical problems that currently exist with two test procedures used by ARB staff when certi-

fying vapor recovery equipment for aboveground storage tanks, reconcile cargo tank certification and test procedures with current industry practices, and provide additional flexibility for cargo tank owners to remain in compliance with performance standards.

Title 17
California Code of Regulations
AMEND: 94014, 94016
Filed 12/10/2014
Effective 04/01/2015
Agency Contact: Amy Whiting (916) 322-6533

File# 2014-1024-02
BOARD OF FORESTRY AND FIRE PROTECTION
Definitions, Exemption and Effective Period § 100 Changes, 2014

This action by the Board of Forestry and Fire Protection (Board) makes changes without regulatory effect pursuant to Section 100, of the California Code of Regulations. These changes relate to definitions, exemptions and effective periods.

Title 14
California Code of Regulations
AMEND: 895.1, 1038, 1039.1, 1041, 1092.01, 1092.28 REPEAL: 1038
Filed 12/10/2014
Agency Contact: Thembi Borrás (916) 653-9633

File# 2014-1027-04
BUREAU OF REAL ESTATE
Allocation of Fees: Education and Research Account

This action amends the allocation of licensing fees to the Education and Research Account to 8% of the license fee collected under Part 1 of Division 4 of the Business and Professions Code.

Title 10
California Code of Regulations
AMEND: 2717
Filed 12/04/2014
Effective 04/01/2015
Agency Contact: Daniel E. Kehew (916) 263-8681

File# 2014-1125-01
CALIFORNIA ALTERNATIVE ENERGY AND
ADVANCED TRANSPORTATION FINANCING
AUTHORITY
PACE Loss Reserve Program

The California Alternative Energy and Advanced Transportation Financing Authority (CAEATFA) readopted sections 10080, 10081, 10082, 10083, 10084, 10085, 10086, and 10087 of title 4 of the California Code of Regulations. Those regulations establish procedures that will enable CAEATFA to protect against the risk of default and foreclosure and increase the ac-

ceptance of Property Assessed Clean Energy (PACE) loans in the marketplace by developing and administering a PACE risk mitigation program, the PACE Loss Reserve Program. These regulations were conclusively presumed to be necessary for the immediate preservation of the public peace, health, safety, or general welfare pursuant to Public Resources Code section 26009.

Title 4
California Code of Regulations
ADOPT: 10080, 10081, 10082, 10083, 10084,
10085, 10086, 10087
Filed 12/05/2014
Effective 12/05/2014
Agency Contact: Ashley Bonnett (916) 651-5100

File# 2014-1017-02
CALIFORNIA ARCHITECTS BOARD
Application for Examination

The California Architects Board (CAB) amended section 2610 of title 16 of the California Code of Regulations to reduce the amount of time prior to an examination for a license to practice landscape architecture within which an application must be filed. This regulatory action changes the time period from at least 70 days prior to the examination to at least 45 days prior to the examination.

Title 16
California Code of Regulations
AMEND: 2610
Filed 12/03/2014
Effective 04/01/2015
Agency Contact: Trish Rodriguez (916) 575-7230

File# 2014-1110-03
CALIFORNIA PRISON INDUSTRY AUTHORITY
CALPIA California Prison Industry Board Rules and Regulations

The California Prison Industry Authority submitted this action pursuant to title 1, California Code of Regulations, section 100 to relocate and renumber section 8002 of title 15 of the California Code of Regulations to section 8901 under a new division, chapter, and article.

Title 15
California Code of Regulations
AMEND: Renumber Section 8002 to 8901
Filed 12/03/2014
Agency Contact: Dawn Eger (916) 358-1612

File# 2014-1110-01
CALIFORNIA PRISON INDUSTRY AUTHORITY
CALPIA Conflict of Interest Code

This regulatory action by CALPIA makes changes without regulatory effect. The purpose of this action concerns the renumbering of Conflict of Interest Code (COIC) from Section 8125 to Section 8199 of Title 1. CALPIA's action in renumbering the COIC to Section 8199 in Chapter 1 will correctly categorize the COIC regulation and leave room for future regulations while ensuring the COIC is the last regulation of Chapter 1. Renumbering a regulation does not alter the text or meaning of the regulation and falls under 1 CCR section 100(a)(1).

Title 15
California Code of Regulations
AMEND: Renumber 8125 to 8199
Filed 12/04/2014
Agency Contact: Dawn Eger (916) 358-1612

File# 2014-1021-02
CALIFORNIA STUDENT AID COMMISSION
Cal Grant Program and Participating Institution Data Reporting Require

This rulemaking by the California Student Aid Commission amends sections in Title 5 of the CCR for the purpose of implementing SB 70 and SB 1103, both of which amended Education Code section 69433.2. That section now requires Cal Grant participating institutions to report job placement rate, and salary and wage information for designated undergraduate programs to the Commission and for the Commission to publish the data on its website.

Title 5
California Code of Regulations
AMEND: 30040, 30042.5
Filed 12/04/2014
Effective 04/01/2015
Agency Contact: Kristen Trimarche (916) 464-6439

File# 2014-1114-09
DEPARTMENT OF CONSUMER AFFAIRS
Student Tuition Recovery Fund

The Department of Consumer Affairs submitted this action for the Bureau for Private and Postsecondary Education for filing and printing in the California Code of Regulations pursuant to Government Code section 11343.8. The action amends title 5, California Code of Regulations, section 76120 pertaining to the assessment amount that students are required to pay to a qualifying institution for the Student Tuition Recovery Fund. The amendment changes the rate of this assessment from fifty cents per thousand dollars of institutional charges to zero dollars. This action is exempt from the Administrative Procedure Act under the rates exemption in Government Code section 11340.9(g).

Title 5
 California Code of Regulations
 AMEND: 76120
 Filed 12/04/2014
 Effective 01/01/2015
 Agency Contact: Joanne Wenzel (916) 431-6905

Title 8
 California Code of Regulations
 AMEND: 9789.39
 Filed 12/04/2014
 Effective 12/01/2014
 Agency Contact: Jarvia Shu (510) 286-0646

File# 2014-1027-01
 DEPARTMENT OF INSURANCE
 Low Cost Auto Plan of Operations

The Department of Insurance amended the California Automobile Insurance Low Cost Program Plan of Operations which is incorporated by reference in section 2498.6 of title 10 of the California Code of Regulations.

File# 2014-1023-01
 FRANCHISE TAX BOARD
 Withholding

This action by the Franchise Tax Board proposes to make changes without regulatory effect to withholding regulations pursuant to section 100 of the California Code of Regulations.

Title 10
 California Code of Regulations
 AMEND: 2498.6
 Filed 12/08/2014
 Effective 12/08/2014
 Agency Contact: Mike Riordan (415) 538-4226

Title 18
 California Code of Regulations
 AMEND: 18662-0, 18662-3, 18662-4, 18662-5, 18662-6, 18662-8
 Filed 12/09/2014
 Agency Contact: Colleen Berwick (916) 845-3306

File# 2014-1027-02
 DEPARTMENT OF INSURANCE
 CAARP Plan of Operations — Rules and Rates Manual

This action by the Department of Insurance amends section 2498.4.9 of Title 10 of the California Code of Regulations and sections 19, 20, 25, and 33 and rule 138 of the Plan of Operations for the California Automobile Assigned Risk Plan pursuant to Insurance Code section 11620.

File# 2014-1024-03
 SECRETARY OF STATE
 Voting System Certification

In this rulemaking action, the Secretary of State adopts regulations in title 2 of the California Code of Regulations to establish specifications and testing procedures for voting machines.

Title 10
 California Code of Regulations
 AMEND: 2498.4.9
 Filed 12/10/2014
 Effective 12/10/2014
 Agency Contact: Mike Riordan (415) 538-4226

Title 2
 California Code of Regulations
 ADOPT: 20700, 20701, 20702, 20703, 20704, 20705, 20706, 20707
 Filed 12/10/2014
 Effective 04/01/2015
 Agency Contact: Ryan Macias (916) 651-7835

File# 2014-1031-03
 DIVISION OF WORKERS' COMPENSATION
 Workers' Compensation — Official Medical Fee Schedule — Outpatient & ASC

This action by the Division of Workers' Compensation of the Department of Industrial Relations is submitted to OAL for filing and printing pursuant to Labor Code section 5307.1(g)(2). The action amends section 9789.39 of title 8 of the California Code of Regulations. This section is a part of the workers' compensation Official Medical Fee Schedule — Hospital Outpatient Departments and Ambulatory Surgical Centers Fee Schedule.

File# 2014-1119-01
 STATE PERSONNEL BOARD
 Rule 100 Change

The State Personnel Board (Board) submitted this pursuant to title 1, California Code of Regulations, section 100 to change the duration of time the Board must take action on petitions for rehearings from 60 days to 90 days in section 51.7 of title 2 of the California Code of Regulations. This change conforms section 51.7 to a recent change in Government Code section 18586 that extended the duration of time the Board must take action on petitions for rehearings from 60 days to 90 days.

Title 2
 California Code of Regulations
 AMEND: 51.7
 Filed 12/03/2014
 Agency Contact: Jeanne Wolfe (916) 651-1043

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN July 9, 2014 TO
December 10, 2014**

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

Title 1

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

Title 2

12/10/14 ADOPT: 20700, 20701, 20702, 20703, 20704, 20705, 20706, 20707
12/03/14 AMEND: 51.7
11/24/14 AMEND: 18942
11/24/14 AMEND: 18705.2
11/20/14 AMEND: 1859.73.2, 1859.76, 1859.78.7, 1859.82
11/03/14 ADOPT: 559.518
10/29/14 AMEND: 18705.3
10/27/14 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
10/20/14 AMEND: 18705.2
10/17/14 AMEND: 3435
10/17/14 AMEND: 3435(b)
10/13/14 AMEND: 599.615, 599.615.1, 599.616, 599.616.1, 599.619, 599.621, 599.622, 599.623, 599.624, 599.624.1, 599.625, 599.625.1, 599.626, 599.626.1, 599.627, 599.627.1, 599.628, 599.628.1, 599.629, 599.629.1, 599.630, 599.631, 599.633, 599.633.1, 599.634, 599.635, 599.635.1, 599.636, 599.636.1, 599.637, 599.638, 599.638.1, 599.640, 599.641, 599.642, 599.643, 599.644, 599.645, 599.646, 599.647, 599.648, 599.649, 599.650, 599.651, 599.652, 599.655, 599.656, 599.657, 599.658, 599.659, 599.660, 599.661, 599.662, 599.663, 599.664, 599.665, 599.666, 599.666.1, 599.667, 599.668, 599.669, 599.670, 599.671,

599.672, 599.672.1, 599.673, 599.674, 599.675, 599.676, 599.676.1, 599.677, 599.678, 599.679, 599.680, 599.681, 599.682, 599.683, 599.684, 599.685, 599.686, 599.687, 599.688, 599.689, 599.690, 599.691, 599.700, 599.701, 599.702, 599.703, 599.703.1, 599.704, 599.705, 599.705.1, 599.706, 599.707, 599.708, 599.709, 599.710, 599.711, 599.714, 599.714.1, 599.715, 599.715.1, 599.716, 599.716.1, 599.717, 599.717.1, 599.718, 599.718.1, 599.719, 599.719.1, 599.720, 599.720.1, 599.721, 599.722, 599.723, 599.723.1, 599.723.2, 599.724, 599.724.1, 599.725, 599.726, 599.727, 599.728, 599.729, 599.730, 599.731, 599.732, 599.733, 599.734, 599.736, 599.737, 599.737.5, 599.738, 599.739, 599.739.1, 599.739.2, 599.740, 599.741, 599.742, 599.742.1, 599.743, 599.744, 599.745, 599.745.1, 599.746, 599.747, 599.748, 599.749, 599.750, 599.751, 599.752, 599.752.1, 599.752.2, 599.752.3, 599.753, 599.754, 599.770, 599.771, 599.772, 599.773, 599.774, 599.775, 599.776, 599.776.1, 599.777, 599.778, 599.779, 599.779.1, 599.779.2, 599.779.3, 599.779.4, 599.779.5, 599.779.6, 599.779.7, 599.780, 599.781, 599.782, 599.783, 599.784, 599.785, 599.785.5, 599.786, 599.787, 599.788, 599.789, 599.790, 599.791, 599.792.5, 599.793, 599.794, 599.795, 599.796, 599.796.1, 599.797, 599.798, 599.800, 599.801, 599.802, 599.803, 599.804, 599.805, 599.806, 599.807, 599.808, 599.809, 599.810, 599.815, 599.817, 599.818, 599.819, 599.825, 599.826, 599.827, 599.828, 599.830, 599.831, 599.832, 599.833, 599.834, 599.835, 599.836, 599.837, 599.854, 599.854.1, 599.854.2, 599.854.3, 599.854.4, 599.856, 599.857, 599.858, 599.859, 599.866, 599.867, 599.868, 599.870, 599.873, 599.874, 599.876, 599.877, 599.880, 599.881, 599.882, 599.883, 599.888, 599.893, 599.910, 599.911, 599.912, 599.913, 599.920.5, 599.920.6, 599.921, 599.922, 599.922.1, 599.922.2, 599.922.3, 599.923, 599.924, 599.924.5, 599.925, 599.925.1, 599.925.5, 599.926, 599.927, 599.929, 599.930, 599.931, 599.933, 599.934, 599.935, 599.936, 599.937, 599.937.1, 599.937.2, 599.937.3, 599.937.4, 599.939, 599.940,

	599.941, 599.942, 599.943, 599.944, 599.946, 599.947, 599.950, 599.951, 599.952, 599.953, 599.954, 599.955, 599.956, 599.957, 599.958, 599.959, 599.960, 599.961, 599.962, 599.963, 599.964, 599.965, 599.966, 599.985, 599.986, 599.987, 599.988, 599.990, 599.992, 599.993, 599.994, 599.995	Title 3 12/01/14 AMEND: 1310, 1310.1 11/19/14 AMEND: 3435(b) 11/03/14 AMEND: 3591.11(a) 10/23/14 ADOPT: 2326.1, 2326.2 10/23/14 AMEND: 3435(b) 10/17/14 AMEND: 3435 10/17/14 AMEND: 3435(b) 10/14/14 AMEND: 3435(b) 09/25/14 AMEND: 3435 (b) 09/17/14 AMEND: 3435(b) 09/15/14 AMEND: 3435(b) 09/04/14 AMEND: 3700(b) 08/25/14 AMEND: 3435(b) 08/25/14 AMEND: 6800 08/18/14 ADOPT: 3162 08/06/14 AMEND: 6000, 6196, 6400, 6624 REPEAL: 6446, 6446.1 08/05/14 REPEAL: 3277 07/22/14 AMEND: 3591.13(a) 07/10/14 AMEND: 3424
09/25/14	AMEND: 18438.5	
09/09/14	ADOPT: 599.839, 599.844.1, 599.844.2, 599.848, 599.849, 599.968, 599.969, 599.970, 599.971, 599.972, 599.973, 599.974, 599.975, 599.976, 599.977, 599.978, 599.979 AMEND: 599.600, 599.601, 599.602, 599.603, 599.604, 599.605, 599.606, 599.607, 599.608, 599.609, 599.610, 599.840, 599.841, 599.850 REPEAL: 599.842, 599.843, 599.844, 599.845, 599.846, 599.847, 599.849, 599.978, 599.979, 599.980	
09/09/14	ADOPT: 4.5, 54.2, 56, 249 AMEND: 37, 53.2, 151.3, 151.5, 153, 171, 174, 174.6, 174.8, 176, 185, 187, 188, 190, 194, 195, 196, 197, 197.5, 199, 199.1, 200, 203, 203.1, 203.7, 205, 206, 207, 211, 213.4, 213.5, 232, 234, 235, 239, 241, 264, 265, 266, 266.1, 266.2, 266.3, 282, 302.2, 302.3, 303, 500, 501, 502, 503, 504, 505, 506, 511, 512, 513, 547.54, 547.55, 547.56 REPEAL: 8, 172.1, 172.3, 172.4, 172.5, 172.6, 172.7, 172.8, 172.9, 172.10, 172.11, 201, 458, 470, 470.1, 471, 471.1, 472	Title 4 12/05/14 ADOPT: 10080, 10081, 10082, 10083, 10084, 10085, 10086, 10087 11/19/14 ADOPT: 12006, 12012, 12035, 12052, 12054, 12056, 12058, 12060, 12062, 12064, 12066, 12068 AMEND: 12002, 12015, (Renumbered 12047), 12017, (Renumbered 12048), 12050 REPEAL: 12218.5, 12234 11/10/14 ADOPT: 8130, 8131, 8132, 8133, 8134, 8135, 8136, 8137, 8138 11/10/14 AMEND: 10030, 10031, 10032, 10033, 10033, 10035, 10036 10/27/14 ADOPT: 10170.16, 10170.17, 10170.18, 10170.19, 10170.20, 10170.21, 10170.22, 10170.23, 10170.24 10/23/14 ADOPT: 4190, 4191 10/06/14 ADOPT: 7113, 7114, 7115, 7116, 7117, 7118, 7119, 7120, 7121, 7122, 7123, 7124, 7125, 7126, 7127, 7128, 7129 09/17/14 AMEND: 1658, 1656 09/15/14 AMEND: 1844 09/08/14 ADOPT: 10080, 10081, 10082, 10083, 10084, 10085, 10086, 10087 09/08/14 AMEND: 1536 08/13/14 AMEND: 7051, 7052, 7057, 7058, 7059, 7065, 7066, 7068 08/13/14 AMEND: 7030, 7031, 7036, 7037, 7038, 7044, 7045, 7047 08/06/14 ADOPT: 10170.1, 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.11, 10170.12, 10170.13, 10170.14, 10170.15
08/25/14	ADOPT: 2980.5, 2980.11 AMEND: 2980.1, 2980.3, 2980.5(a) (Renumbered to 2980.6(b)), 2980.5(b) (Renumbered to 2980.6(c)), 2980.5(c) (Renumbered to 2980.6(d)), 2980.6 (Renumbered to 2980.7), 2980.7(a) (Renumbered to 2980.8(a) and 2980.8(b)), 2980.7(b) (Renumbered to 2980.9(a)), 2980.7(c) (Renumbered to 2980.9(b)), 2980.8 (Renumbered to 2980.10), 2980.9 (Renumbered to 2980.12)	
08/19/14	AMEND: 1859.90.2, 1859.90.3, 1859.193, 1859.197	
08/12/14	ADOPT: 18700.3 AMEND: 18438.5 REPEAL: 18703.1	
08/12/14	ADOPT: 649.24 AMEND: 649, 649.4, 649.8, 649.26, 649.29, 649.32, 649.40, 649.43	
08/07/14	ADOPT: 18422, 18422.5 AMEND: 18215, 18427.1 REPEAL: 18412	
07/30/14	AMEND: 679	
07/14/14	AMEND: 549	

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08/06/14	ADOPT: 10170.16, 10170.17, 10170.18, 10170.19, 10170.20, 10170.21, 10170.22, 10170.23, 10170.24	Title 8	12/04/14	AMEND: 9789.39
08/05/14	ADOPT: 7113, 7114, 7115, 7116, 7117, 7118, 7119, 7120, 7121, 7122, 7123, 7124, 7125, 7126, 7127, 7128, 7129		12/02/14	AMEND: 5620, 6165, 6180, 6181, 6182, 6183, 6184
07/10/14	ADOPT: 5600, 5610, 5620, 5630, 5640 AMEND: 5000, 5144, 5170, 5200, 5205, 5230, 5240, 5255, 5350, 5370		12/01/14	AMEND: 1514, 3380
Title 5			11/26/14	AMEND: 5155
12/04/14	AMEND: 76120		10/15/14	ADOPT: 10390, 10391, 10392, 10393, 10414, 10416, 10417, 10470, 10548, 10549, 10552, 10555, 10563, 10563.1, 10592, 10760, 10995, 10996 10770 AMEND: 10397, 10561, 10593, 10740, 10750, 10751, 10753, 10754, 10755, 10770.1, 10845, 10957.1 REPEAL: 10213, 10241, 10246, 10253, 10256, 10294, 10227, 10230, 10233, 10236, 10240, 10243, 10244, 10250, 10251, 10252, 10254, 10260, 10272, 10275, 10280, 10281, 10295, 10296, 10561.5, 10958
12/04/14	AMEND: 30040, 30042.5		10/02/14	AMEND: 1903
12/01/14	AMEND: 1514, 3380		09/30/14	AMEND: 9792.5.1
11/18/14	ADOPT: 27200, 27201, 27300, 27301, 27400, 27401, 27500, 27501, 27502, 27600, 27601, 27602		09/23/14	AMEND: 9789.32
11/10/14	AMEND: 80225		09/17/14	AMEND: 10205.13
11/05/14	ADOPT: 19810 REPEAL: 19810, 19812, 19813, 19814, 19815, 19816, 19816.1, 19817, 19817.1, 19817.2, 19817.5, 19818, 19819, 19820, 19821, 19821.5, 19822, 19823, 19824, 19824.1, 19825, 19825.1, 19827, 19828, 19828.1, 19828.2, 19828.3, 19828.4, 19829, 19829.5, 19830, 19830.1, 19831, 19832, 19833, 19833.5, 19833.6, 19834, 19835, 19836, 19837, 19837.1, 19837.2, 19837.3, 19838, 19840, 19841, 19843, 19844, 19845, 19845.1, 19845.2, 19846, 19846.1, 19847, 19848, 19849, 19850, 19851, 19851.1, 19852, 19853, 19854, 19854.1, 19855		09/15/14	AMEND: 10205.14
10/30/14	AMEND: 26000		08/27/14	ADOPT: 9767.5.1, 9767.16.5, 9767.17, 9767.17.5, 9767.18, 9767.19 AMEND: 9767.1, 9767.2, 9767.3, 9767.4, 9767.5, 9767.6, 9767.7, 9767.8, 9767.9, 9767.10, 9767.11, 9767.12, 9767.13, 9767.14, 9767.15, 9767.16
10/27/14	ADOPT: 15494, 15495, 15496, 15497		08/25/14	AMEND: 3314
10/07/14	REPEAL: 19839		07/31/14	AMEND: 4542
09/10/14	AMEND: 80037		07/31/14	ADOPT: 5120
09/08/14	AMEND: 55518		07/10/14	ADOPT: 32036, 32037, 32610, 32611, 32806, 32808, 32810, 95000, 95010, 95020, 95030, 95040, 95045, 95050, 95070, 95080, 95090, 95100, 95150, 95160, 95170, 95180, 95190, 95200, 95300, 95310, 95320, 95330 AMEND: 31001, 32020, 32030, 32040, 32050, 32055, 32060, 32075, 32080, 32085, 32090, 32091, 32100, 32105, 32120, 32122, 32130, 32132, 32135, 32136, 32140, 32142, 32145, 32147, 32149, 32150, 32155, 32162, 32164, 32165, 32166, 32168, 32169, 32170, 32175, 32176, 32178, 32180, 32185, 32190, 32200, 32205, 32206, 32207, 32209, 32210, 32212, 32215, 32220, 32230, 32295, 32300, 32305, 32310, 32315, 32320, 32325, 32350, 32360, 32370, 32375, 32380, 32400, 32410, 32450, 32455, 32460, 32465, 32470, 32500, 32602, 32605, 32612, 32615, 32620,
08/27/14	REPEAL: 11968.5			
08/27/14	ADOPT: 853.7 AMEND: 850, 851, 852, 853, 853.5, 855, 857, 858, 859, 861, 862, 862.5, 863, 864 REPEAL: 854, 864.5, 865, 866, 867, 867.5, 868			
08/25/14	ADOPT: 15498, 15498.1, 15498.2, 15498.3			
08/25/14	ADOPT: 12030, 12031, 12032, 12033, 12034, 12035, 12036, 12037, 12038, 12039, 12040, 12041, 12042, 12043, 12044			
07/28/14	ADOPT: 15494, 15495, 15496, 15497			
07/23/14	AMEND: 850, 851, 852, 853, 853.5, 855, 857, 858, 859, 861, 862, 862.5, 863, 864 REPEAL: 854, 864.5, 865, 866, 867, 867.5, 868			
07/11/14	ADOPT: 80693, 80694			

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	10/02/14	ADOPT: 6520, 6522, 6524, 6526, 6528, 6530, 6532, 6534, 6536, 6538
	10/02/14	ADOPT: 6700, 6702, 6704, 6706, 6708, 6710, 6712, 6714, 6716, 6718
	10/02/14	ADOPT: 6462
	09/30/14	ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620
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09/29/14	AMEND: 4210	
08/12/14	AMEND: 531, 532, 532.1, 532.2, 532.3, 532.4, 532.5, 532.6, 533, 534, 535	
07/29/14	AMEND: 1840.205, 1850.325	
		09/17/14 ADOPT: 6464
		09/03/14 ADOPT: 6420, 6422
		09/02/14 ADOPT: 6540, 6542, 6544, 6546, 6548, 6550, 6552
Title 10		
12/10/14	AMEND: 2498.4.9	
12/08/14	AMEND: 2498.6	
12/04/14	AMEND: 2717	
11/25/14	ADOPT: 2548.7, 2548.8 AMEND: 2548.2, 2548.4, 2548.5, 2548.7 (renumbered to 2548.9), 2548.9 (renumbered to 2548.10), 2548.10 (renumbered to 2548.11), 2548.11 (renumbered to 2548.12), 2548.12 (renumbered to 2548.13), 2548.13 (renumbered to 2548.14), 2548.14 (renumbered to 2548.15), 2548.15 (renumbered to 2548.16), 2548.16 (renumbered to 2548.17), 2548.17 (renumbered to 2548.18), 2548.18 (renumbered to 2548.19), 2548.19 (renumbered to 2548.20), 2548.20 (renumbered to 2548.21), 2548.21 (renumbered to 2548.22), 2548.22 (renumbered to 2548.23), 2548.23 (renumbered to 2548.24), 2548.24 (renumbered to 2548.25), 2548.25 (renumbered to 2548.26), 2548.26 (renumbered to 2548.27), 2548.27 (renumbered to 2548.28), 2548.28 (renumbered to 2548.29), 2548.29 (renumbered to 2548.30), 2548.30 (renumbered to 2548.31), and 2548.31 (renumbered to 2548.32) REPEAL: 2548.8	09/02/14 REPEAL: 5.6000; 5.6000.5; 5.6001; 5.6002; 5.6003; 5.6004; 5.6005; 5.6006; 5.6007; 5.6100; 5.6101; 5.6102; 5.6110; 5.6111; 5.6112; 5.6113; 5.6114; 5.6115; 5.6117; 5.6130; 5.6131; 5.6140; 5.6141; 5.6150; 5.6151; 5.6152; 5.6153; 5.6160; 5.6161; 5.6162; 5.6163; 5.6164; 5.6170; 5.6171; 5.6180; 5.6181; 5.6182; 5.6183; 5.6190; 5.6191; 5.6192; 70.1; 70.2; 70.3; 70.4; 70.5; 70.6; 70.7; 70.8; 70.9; 70.100; 70.125; 70.126; 70.128; 70.150; 70.151; 70.152; 70.153; 70.154; 70.155; 70.156; 70.157; 70.158; 70.159; 70.160; 70.161; 70.161.5; 70.162; 70.163; 70.164; 70.165; 70.166; 70.167; 70.168; 70.169; 70.170; 70.171; 70.172; 70.173; 70.174; 70.175; 70.176; 70.177; 70.178; 70.179; 70.180; 70.181; 70.182; 70.183; 70.184; 70.185; 70.186; 70.188; 70.189; 70.190; 70.4000; 70.4100; 70.4101; 70.4102; 70.4103; 70.4104; 70.4105; 70.4106; 70.4107; 70.4108; 70.4109; 70.4110; 70.4111; 70.4112; 70.4113; 70.4114; 70.4115; 70.4117; 70.4118; 70.4119; 70.4120; 70.4121; 70.4123; 70.4124; 70.4125; 70.4126; 70.4127; 70.4200; 70.4201; 70.4202; 70.4300; 70.4301; 70.4302; 70.4306; 70.4307; 70.4308; 70.4309; 70.4310; 70.4311; 70.4312; 70.6000; 70.6100; 70.6101; 70.6200; 70.6201; 70.6300; 70.6301; 70.6302; 70.6303; 70.6304; 70.7000; 70.7001; 70.7002; 70.8000; 70.8001; 70.8002; 70.8050; 70.8051; 70.8052; 70.8053; 70.8054; 70.8055; 70.8056; 70.8057;
11/17/14	ADOPT: 6460	
11/17/14	ADOPT: 8000, 8010, 8020, 8030, 8040	
11/10/14	AMEND: 2498.6	
11/03/14	AMEND: 2318.6, 2353.1, 2354	
10/22/14	ADOPT: 2187.31, 2188.10 AMEND: 2186, 2186.1, 2187, 2187.1, 2187.2, 2187.3, 2187.4, 2187.5, 2187.6, 2187.7,	

70.8058; 70.8059; 70.8060; 70.8061;
70.8062; 70.8100; 70.8101; 70.8102;
70.8103; 70.8104; 70.8105; 70.8106;
70.8107; 70.8108; 70.8200; 70.8201;
70.8203; 70.8205; 70.8206; 70.9000;
70.9001; 70.9002

09/02/14 ADOPT: 6800, 6802, 6804, 6806
09/02/14 ADOPT: 6424, 6440
08/28/14 AMEND: 2498.6
08/21/14 AMEND: 2498.5
08/18/14 ADOPT: 8000, 8010, 8020, 8030, 8070
(re-numbered to 8040) REPEAL: 8040,
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2548.24, 2548.25
08/13/14 AMEND: 250.9, 250.10, 250.11, 250.15,
250.60, 250.61, 260.100.1, 260.100.3,
260.102.8, 260.102.14, 260.102.16,
260.102.19, 260.103.6, 260.105.33,
260.110, 260.131, 260.140.71.2,
260.141.50, 260.146, 260.151, 260.165,
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260.608.2, 280.100, 280.150, 280.152,
280.153, 280.200, 280.250, 280.300,
280.400, 310.002, 310.100.2, 310.101,
310.106, 310.156.1, 310.156.2,
310.156.3, 310.303, 310.304, 1436,
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2031.4, 2031.5, 2031.6, 2031.7, 2031.8,
2031.9, 2031.10
07/31/14 ADOPT: 6456
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07/21/14 ADOPT: 6650, 6652, 6654, 6656, 6657,
6658, 6660, 6662, 6664, 6666, 6668,
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07/17/14 ADOPT: 1600, 1601, 1602, 1603, 1604,
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1610, 1611, 1612, 1613, 1614, 1615,
1616, 1617, 1618 AMEND: 1550
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08/11/14 AMEND: 999.121, 999.129, 999.133,
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999.168, 999.171, 999.172, 999.173,
999.174, 999.176, 999.178, 999.179,
999.190, 999.191, 999.192, 999.193,

999.195, 999.203, 999.204, 999.206,
999.207, 999.209, 999.210, 999.211,
999.217, 999.219, 999.220, 999.221,
999.223

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12/01/14 ADOPT: 16.00, 16.02, 16.04, 16.06,
16.08, 16.10, 16.12, 16.14
10/29/14 AMEND: 1239
10/23/14 AMEND: 423.00
10/23/14 AMEND: 115.04
10/22/14 AMEND: 425.01
10/08/14 ADOPT: 2428
09/24/14 AMEND: 156.00, 156.01
09/15/14 AMEND: 1233
09/15/14 AMEND: 2030, 2031
07/10/14 AMEND: 1962.1, 1962.2

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95301, 95302, 95303, 95305

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12/10/14 AMEND: 895.1, 1038, 1039.1, 1041,
1092.01, 1092.28 REPEAL: 1038
11/26/14 AMEND: 923.2 [943.2, 963.2], 923.4
[943.4, 963.4], 923.5 [943.5, 963.5],
923.9 [943.9, 963.9]
11/25/14 AMEND: 1038, 1038.2
11/24/14 AMEND: 917.2, 937.2, 957.2
11/17/14 AMEND: 1051(a)
11/14/14 AMEND: 790, 817.02, 819.02, 819.03,
819.04, 820.01
11/13/14 AMEND: 895.1, 929.1, 949.1, 969.1,
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11/05/14 ADOPT: 5200, 5200.5, 5201, 5202,
5203, 5204, 5205, 5206, 5207, 5208,
5209, 5210, 5211, 5300, 5301, 5302,
5303, 5304, 5304.5, 5305, 5306, 5307
10/24/14 ADOPT: 786.9
10/23/14 AMEND: 870.15, 870.17, 870.19,
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10/23/14 ADOPT: 180.6
10/13/14 AMEND: 200.12, 200.29, 200.31
10/13/14 AMEND: 163, 164
10/08/14 AMEND: 18720
09/29/14 ADOPT: 17225.821, 17225.822,
17225.850, 17357, 17358, 17359,
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18450(a)(25) AMEND: 17346, 17350,
17351, 17352, 17353, 17354, 17355,
17356, 18420, 18423, 18424, 18425,
18426, 18427, 18428, 18429, 18431,
18432, 18433, 18450(a)(1), 18450(a)(6),
18450(a)(8), 18450(a)(10),

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09/10/14	AMEND: 2285	08/28/14	ADOPT: 902.2, 905.1, 906.3, 907, 908
09/02/14	ADOPT: 2064, 2066, 2066.1 AMEND: 2065, 2065.5, 2065.6, 2065.7, 2065.8, 2065.8.1, 2065.8.2, 2065.8.3, 2065.9		AMEND: 901, 903.1, 903.2, 904, 904.1, 904.2, 905, 905.1 (renumbered to 905.2), 905.2 (renumbered to 905.3), 906.1, 906.2, 906.3 (renumbered to 906.4)
08/28/14	AMEND: 1399.99.2		
08/21/14	AMEND: 2526, 2581	Title 20	
08/19/14	ADOPT: 2403	09/02/14	AMEND: 1682(c)
08/18/14	AMEND: 1150	08/28/14	AMEND: 2901, 2908, 2913
08/13/14	AMEND: 1399.621	Title 22	
07/30/14	ADOPT: 4146.5, 4147.5 AMEND: 4101, 4147	12/01/14	REPEAL: 63000.10, 63000.13, 63000.16, 63000.17, 63000.19, 63000.25, 63000.28, 63000.31, 63000.34, 63000.35, 63000.37, 63000.40, 63000.43, 63000.46, 63000.47, 63000.48, 63000.49, 63000.62, 63000.65, 63000.66, 63000.67, 63000.68, 63000.70, 63000.71, 63000.74, 63000.77, 63000.80, 63000.81, 63000.83, 63000.84, 63000.85, 63000.86, 63000.87, 63000.88, 63000.89, 63000.90, 63000.92, 63000.95, 63010, 63011, 63012, 63013, 63014, 63015, 63020, 63021, 63025, 63026, 63027, 63028, 63029, 63030, 63040, 63050, 63051, 63052, 63055, 63056, 63057, 63058
08/04/14	ADOPT: 1107		
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07/30/14	AMEND: 1399.15	10/14/14	ADOPT: 65530, 65534, 65540, 65546 AMEND: 65501, 65503, 65511, 65521, 65523, 65525, 65527, 65529, 65531, 65533, 65535, 65537, 65539, 65541, 65545, 65547, 65551 REPEAL: 65505, 65507, 65509, 65543, 65549
07/23/14	ADOPT: 1441 AMEND: 1403, 1444.5		
07/10/14	ADOPT: 2010.2, 2014.1 AMEND: 2002, 2009, 2010, 2010.1, 2014, 2015, 2015.1, 2068.6, 2071 REPEAL: 2062	10/08/14	AMEND: 51051, 51135 REPEAL: 51221, 51222
		09/15/14	ADOPT: 66273.80, 66273.81, 66273.82, 66273.83, 66273.84, 66273.90, 66273.91, 66273.100, 66273.101 AMEND: 66261.4, 66273.6, 66273.7, 66273.9, 66273.70, 66273.72, 66273.73, 66273.74, 66273.75
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12/10/14	AMEND: 94014, 94016	08/18/14	AMEND: 51305
12/05/14	Adopt: 95660, 95661, 95662, 95663, 95664	08/18/14	AMEND: 51309, 51331
10/13/14	AMEND: 2606.4	08/05/14	AMEND: 97232
09/17/14	AMEND: 94501, 94506, 94508, 94509, 94512, 94513, 94515, 94520, 94521, 94522, 94523, 94524, 94525, 94526, 94528, 94700 REPEAL: 94560, 94561, 94562, 94563, 94564, 94565, 94566, 94567, 94568, 94569, 94570, 94571, 94572, 94573, 94574, 94575	08/05/14	AMEND: 97234, 97267
08/21/14	REPEAL: 60040, 60041, 60042, 60043, 60044, 60045, 60046, 60047, 60048, 60049, 60050, 60051, 60052, 60053	07/21/14	ADOPT: 20100.5
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11/05/14	AMEND: 1603		
09/29/14	AMEND: 1684		
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10/08/14	AMEND: 2735.1, 2735.3, 2735.4, 2735.5, 2740.1, 2745.1, 2745.2, 2745.3, 2745.6, 2745.7, 2745.10, 2745.10.5, 2750.2, 2750.3, 2750.4, 2750.7, 2755.2, 2755.3, 2755.4, 2755.5, 2755.6, 2755.7, 2760.1, 2760.2, 2760.5, 2760.6, 2760.7, 2760.8, 2760.9, 2760.12, 2765.1, 2765.2, 2770.2, 2770.5, 2775.2, 2775.5, 2775.6,		

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