



# California Regulatory Notice Register

REGISTER 2018, NO. 33-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

AUGUST 17, 2018

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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 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) 328-4880. 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 (the Commission), under the authority vested in it by the Political Reform Act (the Act)<sup>1</sup> by Section 83112 of the Government Code proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation at a public hearing on or after **September 20, 2018**, at the Los Angeles City Hall, 200 N Spring St, Los Angeles, California 90012 (Public Works Board Room, 3rd Floor), commencing at approximately **10:00 a.m.** Written comments should be received at the Commission of-fices no later than **5:00 p.m. on September 18, 2018.**

**BACKGROUND/OVERVIEW**

The Act prohibits persons from making, and committees from receiving, cash contributions of \$100 or more. Committees are also prohibited from making expenditures of \$100 or more in cash. Section 84300 provides:

“(a) No contribution of one hundred dollars (\$ 100) or more shall be made or received in cash. A cash contribution shall not be deemed received if it is not negotiated or deposited and is returned to the contributor before the closing date of the campaign statement on which the contribution would otherwise be reported. If a cash contribution, other than a late contribution, as defined in Section 82036, is negotiated or deposited, it shall not be deemed received if it is refunded within 72 hours of receipt. In the case of a late contribution, as defined in Section 82036, it shall not be deemed received if it is returned to the contributor within 48 hours of receipt.

<sup>1</sup> The Political Reform Act is contained in Government Code sections 81000 through 91014. All further statutory references are to the Government Code. The regulations of the Fair Political Practices Commission are contained in sections 18110 through 18997 of Title 2 of the California Code of Regulations (hereafter Regulation).

“(b) No expenditure of one hundred dollars (\$ 100) or more shall be made in cash.

“(c) No contribution of one hundred dollars (\$ 100) or more other than an in-kind contribution shall be made unless in the form of a written instrument containing the name of the donor and the name of the payee and drawn from the account of the donor or the intermediary, as defined in Section 84302.”

“(d) The value of all in-kind contributions of one hundred dollars (\$ 100) or more shall be reported in writing to the recipient upon the request in writing of the recipient.”

Additionally, Section 85201 provides that all contributions or loans made to a candidate, or the candidate’s controlled committee, shall be deposited in a single campaign bank account. This is typically referred to as the “one-bank account” rule.

In light of the restrictions on cash contributions and expenditures as well as the one-bank account rule, a question has arisen as to the permissible use of cryptocurrencies, such as Bitcoin, for campaign contributions and expenditures. While cryptocurrencies share some characteristics of cash, they are a relatively modern form of currency and not issued by a governmental entity.

**REGULATORY ACTION**

Adopt 2 Cal. Code Reg. Sections 18215.4.

Proposed Regulation 18215.4 will clarify the use of cryptocurrencies for the purposes of making and accepting campaign contributions as well as campaign expenditures. The Commission may consider any issues pertaining to the use of cryptocurrencies including, but not limited to, the following:

- Banning the use of cryptocurrencies for campaign contributions and campaign expenditures.
- Permitting the use of cryptocurrencies for campaign contributions subject to the cash contribution limit of less than \$100.
- Requiring contributions made by cryptocurrencies to be converted to cash and deposited into a committee’s bank account upon receipt.
- Permitting committees to establish separate cryptocurrency accounts and make campaign expenditures from the accounts.
- Permitting contributions made by cryptocurrencies as in-kind contributions without regard to the cash contribution limits.

SCOPE

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or any related issues.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY

Government Code Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE

The purpose of this regulation is to implement, interpret, and make specific Government Code Sections 84300 and 85201.

CONTACT

Any inquiries should be made to Zachary Norton, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/the-law/fppc-regulations/proposed-regulations-and-notices.html>.

**TITLE 4. CALIFORNIA ALTERNATIVE ENERGY AND ADVANCED TRANSPORTATION FINANCING AUTHORITY**

**TITLE 4. BUSINESS REGULATIONS DIVISION 13**

NOTICE IS HEREBY GIVEN that the California Alternative Energy and Advanced Transportation Financ-

ing Authority (“CAEATFA” or the “Authority”) proposes to amend Sections 10032 and 10036 of Article 2, Division 13, Title 4 of the California Code of Regulations concerning the implementation of the Sales and Use Tax Exclusion Program after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Authority has not scheduled a public hearing on this proposed action. However, a public hearing will be held if any interested person, or his or her duly authorized representative, requests a public hearing to be held relevant to the proposed action by submitting a written request to the Agency Contact Person identified in this notice no later than 5:00 p.m., fifteen (15) days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulations to the Authority. The written comment period of the proposed regulations ends on **October 1, 2018**. All comments must be submitted in writing to the Agency Contact Person identified in this Notice by that time in order for them to be considered by the Authority.

In the event that substantial changes are made to the regulations during the written comment period, the Authority will also accept additional written comments limited to any changed or modified regulations for fifteen (15) calendar days after the date on which such regulations, as changed or modified, are made available to the public pursuant to Title 1, Chapter 1, Article 2, Section 44 of the California Code of Regulations. Such additional written comments should be addressed to the Agency Contact Person identified in this Notice.

AUTHORITY AND REFERENCE

Authority: Public Resources Code Sections 26009 and 26011.8. Revenue and Taxation Code Section 6010.8. Public Resources Code Section 26009 authorizes CAEATFA to adopt necessary regulations relating to its authority established by the Act, and Public Resources Code Section 26011.8 provides the authority to develop the Sales and Use Tax Exclusion Program. Revenue and Taxation Code Section 6010.8 provides CAEATFA the ability to provide financial assistance in the form of sales and use tax exclusions.

Reference: Section 26011.8 of the Public Resources Code. This regulation will implement, interpret, and make specific section 26011.8 of the Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW

Existing law establishes the California Alternative Energy and Advanced Transportation Financing Authority and authorizes the Authority to provide financial assistance in the form of a sales and use tax exclusion, to Participating Parties, as defined in Public Resources Code Section 26003(a)(7), for alternative source, advanced transportation, advanced manufacturing, and recycled feedstock Projects, also known as the Sales and Use Tax Exclusion Program (“Program”). (Public Resources Code Sections 26003(a) and 26011.8(a), and Revenue and Taxation Code Section 6010.8.) Existing law establishes the purpose of the Program as promoting the creation of California-based manufacturing, California-based jobs, advanced manufacturing, the reduction of greenhouse gases, or reductions in air and water pollution or energy consumption. (Public Resources Code Section 26011.8(a).)

Existing law limits the amount of sales tax exclusion (“STE”) that CAEATFA may grant in each calendar year to \$100 million. (Public Resources Code Section 26011.8(h).) Existing Program regulations establish a competitive process whereby Applications are ranked based on specific objective criteria to determine the order of priority for consideration by the Authority if the Program becomes oversubscribed in a given month. Existing Program regulations also require every Applicant to pay an Application Fee of 0.05% of the requested Qualified Property amount at the time of application.

CAEATFA staff recently identified ways the Program could assist companies relocating or rebuilding after critical damage caused by large-scale physical disasters to help promote the Program’s goals of retaining manufacturing facilities and manufacturing jobs in California.

The proposed regulations would add a new competitive criterion and would waive Application Fees for Applicants rebuilding or relocating due to a fire, flood, storm, or earthquake identified in a state of emergency proclamation made by the California State Governor within two years of the time of application.

These regulations were initially adopted under the emergency regulation process on December 13, 2017 (OAL File# 2017-1205-01E) pursuant to Public Resources Code Section 26009, and expired on June 13, 2018.

The proposed regulations will allow the Authority to continue to offer financial assistance to alternative source, advanced transportation, advanced manufacturing, and recycled feedstock Projects. By promoting these types of Projects the Authority promotes California-based manufacturing, California-based jobs, the

reduction of greenhouse gases, or the reduction in air and water pollution or energy consumption.

**Anticipated Benefits of the Proposed Regulation**

The broad objective of the regulation is to allow the Authority to continue to offer financial assistance to Alternative Source, Advanced Transportation, Advanced Manufacturing, and Recycled Feedstock Projects. By promoting these types of Projects the Authority promotes California-based manufacturing, California-based jobs, the reduction of greenhouse gas emissions, or the reduction in air and water pollution or energy consumption. More specifically, the regulations are anticipated to help retain California manufacturers and California jobs by adding a new competitive criterion and waiving Application Fees for Applicants rebuilding or relocating due to a fire, flood, storm, or earthquake identified in a state of emergency proclamation made by the California State Governor within two years of the time of application.

**Evaluation of Inconsistency/Incompatibility with Existing State Regulations**

Government Code Section 11346.5(a)(3)(D) requires that the notice of proposed rulemaking shall include “an evaluation of whether the proposed regulation is inconsistent or incompatible with existing state regulations.” Authority staff reviewed the California Code of Regulations and found no other regulations dealing with this issue. Therefore, the Authority believes that the proposed regulation is neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE  
PROPOSED ACTION

The Executive Director of the Authority has made the following determinations regarding the effect of the regulations:

**Mandate on local agencies or school districts:** None.

**Cost or savings to any state agency:** The proposed regulations waive the Application Fee if the Applicant can demonstrate the Project is to relocate or rebuild the Applicant’s Facility due to a fire, flood, storm, or earthquake identified in a state of emergency proclamation made by the California State Governor within two years of the time of application. Generally, the Application Fee is intended to cover the cost of reviewing an Application. The fee is calculated by taking 0.05% of the total amount of Qualified Property identified in the Application, subject to a \$500 minimum and a \$10,000 maximum. CAEATFA estimates approximately two Projects a year will qualify for an Application Fee waiver pursuant to the proposed regulations. Assuming each of these Projects will have an average Application fee of

\$5,500, the Authority estimates the Fiscal Year Impact as follows:

Fiscal Year Impact:

- Current (FY2018–19) \$11,000
- FY2019–20 \$11,000
- FY2020–21 \$11,000

**Cost to any local agency or school district that must be reimbursed in accordance with Government Code section 17561:** None.

**Other non-discretionary cost or savings imposed on local agencies:** None. While the sales and use tax that is excluded could be seen as “lost revenue,” the Program regulations limit the financial assistance to those Applications/Projects that are anticipated to have a net fiscal and environmental benefit for the State. Additionally, the proposed regulations do not expand CAEATFA’s authority to provide an STE nor increase the amount of STE that CAEATFA may grant, which is capped by statute.

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

**Significant effect on housing costs:** None.

**Significant, statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states:** The Authority has made the determination 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. Participation in the Program is voluntary for California businesses. For those businesses who choose to apply and are awarded a sales and use tax exclusion, the Program provides an incentive, which reduces their capital purchasing costs. In fact, the Authority finds that the proposed regulation will have a positive effect on certain businesses that are awarded financial assistance and on the State’s economy and environment generally as a result of the increased economic activity of Advanced Manufacturing and Recycled Resource Extraction Projects and production of Alternative Source and Advanced Transportation products. This determination is based on a review of the public comments received in previous rulemaking proceedings and analysis performed by the consultant hired by the Authority to assist with the development of the Program.

RESULTS OF ECONOMIC IMPACT ANALYSIS

**Creation or Elimination of Jobs within the State of California**

The regulations help provide an incentive to California manufacturers and therefore are not anticipated to eliminate jobs within the State of California. The regu-

lations are intended to help retain existing California manufacturers affected by certain physical disasters and therefore are not anticipated to create jobs within the State of California.

**Creation of New or Elimination of Existing Businesses within the State of California**

The regulations help provide an incentive to California manufacturers and therefore are not anticipated to eliminate existing businesses within the State of California. The regulations are intended to help retain existing California manufacturers affected by certain physical disasters and therefore are not anticipated to create new businesses within the State of California.

**Expansion of Businesses Currently Doing Business within the State of California**

The regulations are intended to help retain existing California manufacturers affected by certain physical disasters and therefore are not anticipated to expand businesses currently doing business within the State of California.

**Benefits of the Regulations to the Health and Welfare of California Residents, Worker Safety, and the State’s Environment**

The regulations are intended to help retain existing California manufacturers affected by certain physical disasters. The regulations may benefit the State’s environmental and fiscal health by incentivizing advanced manufacturing, recycling, and the manufacturing and production of alternative source products and advanced transportation technologies.

**Cost impact on a representative private person or business:** The Authority is not aware of any cost impacts that a representative private person would incur as a result of compliance with the proposed action. In fact, the proposed regulation waives the Application Fee for some Applicants, reducing the cost of receiving Financial Assistance through the Program.

**Small Business:** The proposed regulations will not have an adverse impact on small businesses in California and will not affect small businesses since they do not impose additional restrictions or costs on small businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13) the Authority must determine that no reasonable alternative to the regulations considered by the Authority or that have otherwise been identified and brought to the attention of the Authority would be more effective in carrying out the purpose for which the regulations are proposed, or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affect-

ed private persons and equally effective in implementing the statutory policy or other provision of law.

The Authority invites interested persons to present statements with respect to alternatives to the regulations during the written comment period.

#### AGENCY CONTACT PERSON

Written comments, inquiries and any questions regarding the substance of the regulations shall be submitted or directed to:

Ashley Bonnett, Program Manager  
CAEATFA  
915 Capitol Mall, Room 538  
Sacramento, California 95814  
Telephone: 916-651-5100  
Email: [abonnett@treasurer.ca.gov](mailto:abonnett@treasurer.ca.gov)

Xee Moua, Analyst  
CAEATFA  
915 Capitol Mall, Room 538  
Sacramento, California 95814  
Telephone: 916-653-3303  
Email: [xmoua@treasurer.ca.gov](mailto:xmoua@treasurer.ca.gov)

#### AVAILABILITY OF INITIAL STATEMENT OF REASONS AND TEXT OF THE PROPOSED REGULATIONS

The Authority has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the Authority's office at 801 Capitol Mall, Room 220, Sacramento, California 95814, during normal business working hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons and the proposed text of the Regulations. Copies of these items are available upon request from the Agency Contact Person designated in this Notice or at the Authority's website located at <https://www.treasurer.ca.gov/caeatfa/ste/regulations/index.asp>.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the public hearing and the written comment period ends, the Authority may adopt the regulations substantially as described in this Notice, without further notice. If the Authority makes modifications that 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 fifteen (15) calendar days before the Authority adopts the proposed regulations, as modified. Inquiries about and requests for copies of any changed or modified regulations should be addressed to the Agency Contact Person identified in this Notice. The Authority will accept written comments on the modified regulations for fifteen (15) calendar days after the date on which they are made available.

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

All the information upon which the proposed regulations are based, including studies or documents relied upon, is contained in the rulemaking file, which is available for public inspection by contacting the Agency Contact Person designated in this Notice. Upon completion, a copy of the Final Statement of Reasons may be requested from the Agency Contact Person designated in this Notice or at the Authority's website at <https://www.treasurer.ca.gov/caeatfa/ste/regulations/index.asp>.

#### TITLE 9. DEPARTMENT OF HEALTH CARE SERVICES

##### SUBJECT: Narcotic Treatment Program, DHCS-14-026

NOTICE IS HEREBY GIVEN that the Department of Health Care Services (Department) proposes to adopt Sections 10021, 10036, 10037, 10056.5 and 10386; amend Sections 10000, 10010, 10020, 10025, 10030, 10035, 10040, 10045, 10055, 10056, 10057, 10060, 10095, 10125, 10130, 10145, 10160, 10165, 10190, 10195, 10240, 10260, 10270, 10280, 10315, 10320, 10330, 10345, 10355, 10360, 10365, 10370, 10375, 10380, 10385, 10410, and 10425; and repeal Sections 10015 and 10340 of Title 9 of the California Code of Regulations (CCR) after considering all public comments, objections, and recommendations.

#### WRITTEN COMMENT PERIOD

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

Please label any comments as pertaining to **Narcotic Treatment Program, DHCS-14-026** and submit using any of the following methods:

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

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

FAX: (916) 440-5748

Email: [regulations@dhcs.ca.gov](mailto:regulations@dhcs.ca.gov)

The written comment period closes at **5:00 p.m. on October 3, 2018**, any written comments, regardless of the method of transmittal must be received by the Office of Regulations by **5:00 p.m.** on this date for consideration.

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

A public hearing has not been scheduled for this rule-making. However, the Department will conduct a hearing if a written request for a public hearing is received from any interested person or his or her duly authorized representative, no later than 15 days prior to the close of the written comment period, pursuant to Government Code Section 11346.8.

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

Authority and Reference

These regulations are being proposed under the following authorities:

Sections 20, 11750, 11755, 11835, 11839.3, 11839.6 and 11839.20, Health and Safety Code.

These proposed regulations implement, interpret, or make specific the following: Sections 11217, 11839.2, 11839.3, 11839.4, 11839.5, 11839.6, 11839.7, 11839.9, 11839.10, 11839.12, 11839.16, 11839.19, 11839.20, 11839.22 and 11839.24, Health and Safety Code; and Chapter 5 (commencing with Section 11500), Part 1, Division 3, Title 2, Government Code.

INFORMATIVE DIGEST/POLICY STATEMENT  
 OVERVIEW

The Department’s mission is to provide Californians with access to affordable, integrated, high-quality health care, including medical, dental, mental health, substance use treatment services and long-term care. In support of this mission, the Department administers many health care programs including Narcotic Treatment Programs (NTPs).

In California, NTPs, also known federally as Opioid Treatment Programs (OTPs), are licensed by the Department. California’s NTPs provide replacement narcotic therapy (RNT) to those persons addicted to opiates. RNT combines behavioral therapy and medications to treat substance use disorders. NTPs also provide detoxification and/or maintenance treatment services which include medical evaluations and rehabilitative services to help the patient become and/or remain a productive member of society.

Program History

NTPs are outpatient clinics that are permitted to use levoalphacetylmethadol (LAAM), methadone, buprenorphine or buprenorphine combination products, and any other federally controlled substance approved by the United States Food and Drug Administration (FDA) for the purpose of RNT. NTPs have been licensed in California since the early 1980s. In addition to complying with current law as provided in the Health and Safety Code (HSC), NTPs also must adhere to applicable laws in Titles 21 and 42 Code of Federal Regulations (CFR), Title 9 of the CCR, and meet physical security requirements for storage and dispensing of controlled substances as administered by the United States Drug Enforcement Administration (DEA).

NTPs provide RNT in an outpatient, medically supervised setting to persons who are addicted to opioids. Services include, but are not limited to, replacement opioid medication and counseling. The Department has sole authority to license NTPs, which currently includes 161 licensed providers. When an NTP application is received, reviewed, and determined to be complete, an on-site review is conducted by the Department prior to licensure. An NTP applicant must demonstrate a need for NTP services in the county and receive the county Board of Supervisor’s support in order to apply for an NTP license. Annual on-site reviews conducted by the Department are required to ensure ongoing compliance with Federal and State laws as well as regulatory requirements.



Related Existing Laws and Regulations

Assembly Bill (AB) 75 (Chapter 22, Statutes of 2013) added Section 11750 to the HSC, which transferred the administration of prevention, treatment, and recovery services for alcohol and drug abuse from the Department of Alcohol and Drug Programs (ADP) to the Department.

HSC Section 11839.2(c) provides for the controlled substances that are authorized for use in RNT by NTPs. Buprenorphine and buprenorphine combination products are approved medications to be used in NTPs for the treatment of opioid use disorder. This regulatory proposal includes amendments to include buprenorphine and buprenorphine combination products for use in RNT.

Senate Bill (SB) 973 (Hernandez, Chapter 484, Statutes of 2014) amended HSC Section 11839.3, to authorize NTPs to admit patients at the discretion of the medical director and requires changing the patient identifier from sequential numbers to unique identifiers. SB 973 also changed take-home medication requirements by allowing retired or disabled patients to be eligible for take-home medication, allowing programs to close on Sundays and provide take-home doses to eligible patients, and allowing the medical director the discretion to dilute take-home doses. Amendments throughout this regulatory proposal are intended to implement SB 973.

HSC Section 11839.3 authorizes the director of the Department to establish and enforce the criteria for the eligibility of patients to be included in the programs, program operation guidelines, such as dosage levels, record keeping and reporting, urinalysis requirements, take-home doses of controlled substances authorized for use pursuant to HSC Section 11839.2, security against redistribution of narcotic replacement drugs, and any other regulations that are necessary to protect the safety and well-being of the patient, the local community, and the public. Title 42, CFR, Section 8.11, requires the Substance Abuse and Mental Health Services Administration (SAMHSA) to consult with the State authority prior to approving any application for an NTP.

HSC Section 11839.7 authorizes the Department to set a license fee at a level sufficient to cover all departmental costs associated with licensing incurred by the Department. This regulatory proposal includes amendments to NTP application fees and annual licensing fees consistent with HSC Section 11839.7.

Title 9, CCR, Division 4, Chapter 4, Subchapter 1 commencing with Section 10000 are the primary regulations for NTPs. These regulatory provisions address numerous topics including the program licensure, evaluation and administration, medication security and patient treatment. Many of these provisions will be updated

and amended through this regulatory proposal. This regulatory proposal includes amendments to bring the regulations into compliance with recently enacted statutes in order to enhance the Department's oversight of the NTPs and improve the health and safety of NTP patients.

Statement of Purpose/Problem to be Addressed

SB 973, effective January 1, 2015, allows an NTP to admit a patient to narcotic maintenance or narcotic detoxification treatment at the discretion of the medical director by removing the requirement that a patient waits seven days in-between treatment episodes, enables patients to qualify for self-administered take-home medication under specified circumstances, requires a medical director to determine whether or not to dilute self-administered take-home medication, and requires a unique patient identifier for record keeping. The purpose of this regulation package is to implement, interpret and make specific the NTP services defined in HSC, Division 10.5, Chapter 10 and to enact changes from SB 973 to remove barriers to access treatment and prevent unnecessary discomfort for patients in addiction recovery. Other changes are made to expand oversight of NTPs and improve the health and safety of NTP patients.

This regulation proposal addresses changes necessary to streamline the process for licensed patient capacity change requests with the primary focus being access to NTP treatment services. This regulation package amends the antiquated process currently in place for increasing and decreasing the licensed patient capacity of an NTP, including how fees are calculated and collected. When an NTP reaches the licensed patient capacity, the NTP is not able to intake additional patients until an application for a patient capacity increase is approved by the Department. With the streamlined process, the Department anticipates eliminating any unwarranted wait time, which can create barriers in access to necessary services. The changes are also expected to result in a clearly defined process including a shorter wait time for approval or denial of the request.

Currently, 28 out of 58 counties do not provide NTP services. This is a major hurdle to access for the people in need of services in many rural communities. Also, many of the counties with the highest rates of opioid overdose resulting in death do not have access to NTP services. One of the most prominent reasons this lack of access is occurring is the inability to set up a traditional NTP business model in a rural area where there is a relatively small number of patients. An evidence-based solution to this problem, included in this regulation proposal, is to create Office-Based Narcotic Treatment Networks (OBNTNs) and to expand the availability of medication units. These OBNTNs and medication units

are affiliated and associated with a licensed NTP and provide specified limited services. These smaller, limited facilities will be more feasible for expansion into rural areas; will reduce travel time to NTP services for many existing patients; and will increase access to NTP services in underserved areas.

In 2005, HSC Section 11839.2(c), established buprenorphine and buprenorphine combination products as approved medications to be used in NTPs for the treatment of opioid use disorders. Buprenorphine and buprenorphine combination products are another medication option for medication-assisted treatment that is highly effective in treating opioid use disorders. This regulation package will further specify the requirements for NTPs treating patients with buprenorphine and buprenorphine combination products.

#### Anticipated Benefits of the Regulations

This regulatory proposal supports the intent of the initiating legislation under HSC Sections 11755 and 11839.3, which states that the Department shall establish and enforce any regulations that are necessary to protect the safety and well-being of the patient, the local community, and the public.

The amendments proposed through this regulatory action will promote the safety and well-being of the patient, the local community and the public through eliminating a medically unnecessary seven-day waiting period between treatment episodes, adding retirement and medical disability to a list of qualifying factors for take-home medication doses, and leaving the decision to dilute take-home medication to the medical director. These amendments will directly benefit NTP patients by making it easier to transition from detoxification treatment to maintenance treatment, and by allowing patients who are retired or disabled to qualify for take-home medications. In addition to meeting the goals of the authorizing statutes, these proposed regulations support the proper and efficient administration of the NTPs (consistent with Chapter 10, Article 1 of the HSC) in accordance with the Federal and State laws that govern the program's rules of participation.

Additionally, this regulatory proposal and its inclusion of OBNTNs and medication units will help expand treatment services in more rural counties throughout California. HSC Section 11839.6 includes provisions for OBNTNs but regulations specifically detailing their approval and operation have yet to be implemented. Financial viability can be a major barrier in establishing and operating a free standing self-contained NTP in areas with small populations and even smaller populations of individuals in need of NTP services. OBNTNs and medication units provide a solution to that problem.

#### Stakeholder Involvement in Preparation of the Regulations

The Department reviewed the proposed regulations with the Narcotic Treatment Programs Advisory Committee (NTPAC) throughout 2015 and 2016. The NTPAC is comprised of the following organizations:

- Small, Medium and Large Narcotic Treatment Programs
- California Society of Addiction Medicine
- California Alcohol and Drug Program Executives
- California Opioid Maintenance Providers
- California Behavioral Health Directors' Association
- Patient Advisory and Advocacy Group

These organizations are substance use disorder provider associations and county associations that have an interest in the proposed amendments.

Each date and topic that was discussed is listed below:

- March 18, 2015: Draft of entire regulation package was reviewed
- June 17, 2015: Medication Units were discussed with an opportunity for feedback
- September 30, 2015: Allowed time for stakeholder feedback
- January 7, 2016: Overview of regulation package and opportunity to comment
- May 9, 2016: Overview of next steps and opportunity for feedback
- June 1, 2016: Draft of entire regulation package was sent to stakeholders for informal feedback
- June 9, 2016: Conference call with walkthrough of all topics in the regulation package and opportunity to provide feedback
- September 7, 2016: Overview of next steps and opportunity to provide feedback

The Department received stakeholder comments and feedback throughout the process and made adjustments to the proposed amendments as needed.

#### Consistency and Compatibility with Existing State Regulations

The Department has conducted an evaluation of the related existing state regulations under Title 9, CCR, Division 4 and has determined that the regulations are consistent with and compatible with those regulations. An automated search of Title 9, Division 4 using the following keywords: "Methadone, Narcotic treatment, Buprenorphine, Take-home medication, Opioid, and Unique identifier" was conducted via Westlaw and yielded no conflicting state regulations.

Forms

This regulatory action will update and expand definitions and program requirements. To assist the Department in verifying that program requirements are met, applicants/providers are required to complete specified forms to participate and continue to participate as a provider in the NTP. These forms allow the Department to effectively gather comprehensive and accurate information from applicants/providers that wish to participate in the NTP. These forms include criteria related to an applicant's/provider's: qualifications (i.e. licensing/certification), facilities/clinic locations, and services rendered. It is critical that the Department obtain all of this information, including documentation/verification (as applicable), as well as assurances that the applicant/provider is aware of the responsibilities for program participation. This information is necessary so that the Department can determine if an applicant/provider meets the standards to participate in the NTP and while participating that the provider is held to these standards. These forms will help clearly identify the information that shall be reported to the Department and will help streamline and standardize the application for licensure, application for protocol amendment and the annual licensure renewal processes. The following forms are incorporated by reference in this regulatory proposal.

- 1) Application for License Renewal form DHCS 4029 (04/16)
- 2) Initial Application Coversheet form DHCS 5014 (04/16)
- 3) Guarantor Agreement form DHCS 5020 (04/16)
- 4) Facility and Geographical Area form DHCS 5025 (04/16)
- 5) Staff Information form DHCS 5026 (04/16)
- 6) County Certification form DHCS 5027 (04/16)
- 7) Organizational Responsibility form DHCS 5031 (04/16)
- 8) Patient Death Report form DHCS 5048 (04/16)
- 9) Affiliated and Associated Acknowledgment form DHCS 5134 (04/16)
- 10) Application for Protocol Amendment form DHCS 5135 (04/16)

These forms are incorporated by reference because it would be too cumbersome to publish the forms directly in the CCR.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Fiscal Impact Statement

- A. Costs to any Local Agency or School District that is required to be reimbursed Under Part 7 (commencing with Section 17500), Division 4 of the Government Code: Costs and/or savings are indeterminate.  
Costs to any Local Agency or School District that is not reimbursable by the State: Costs and/or savings are indeterminate.
- B. Costs or Savings to any State Agency: Overall state costs and/or savings are indeterminate.
- C. Costs or Savings in Federal Funding to the State: None.
- D. Other Nondiscretionary Costs or Savings Including Revenue Changes Imposed on State or Local Agencies: Costs and/or savings are indeterminate.

All cost impacts, known to the Department at the time the notice of proposed action was submitted to the Office of Administrative Law, that a representative private person or business would necessarily incur in reasonable compliance with the proposed action:

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

Mandates on Local Agencies or School Districts

The Department has determined that the proposed regulations would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

Significant Statewide Adverse Economic Impact Affecting Businesses

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

Results of the Economic Impact Assessment (Analysis)

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

1. The creation or elimination of jobs within the State of California.
2. The creation of new businesses or the elimination of existing businesses within the State of California.
3. The expansion of businesses currently doing business within the State of California.

### Impact on Jobs and Businesses

The Department has made the determination that the impact on jobs and businesses would only affect those providers operating NTPs who choose to open medication units and OBNTNs. It is estimated that from 2017–2022 that a total of 14 medication units and/or OBNTNs may open, based on the number of counties that currently do not provide NTP services. A new application fee will be required for these facility types. The fee is consistent with statutory requirements and is developed based on the costs incurred by the Department. There is no anticipated impact to businesses related to this fee or the application process as it is consistent with the existing process to open a primary NTP.

The opening of an OBNTN or a medication unit will involve costs to the provider related to infrastructure. These costs will heavily depend on the region and include costs associated with meeting the requirements for physically securing the medications to meet the DEA storage requirements in addition to staffing costs. There will likely also be costs associated with adapting information systems to maintain the records of the patients being seen by these facilities.

If a provider opens an OBNTN or medication unit, new health care jobs will be created because it is estimated that each medication unit will require at least one licensed physician, physician extender or medical personnel authorized to dispense schedule II narcotics, as well as an administrative professional costing altogether approximately \$75,000 per year. Depending on the services offered, each OBNTN is estimated to require approximately two registered or certified counselors or licensed professionals acting as counselors, one administrative professional and a part-time physician or physician extender costing altogether approximately \$120,000 per year.

### Benefits of the Proposed Regulation

The Department has determined that the regulations will not specifically affect worker safety yet will have an impact on the public health, welfare and safety of Californians. The opioid epidemic affecting the nation is resulting in a tremendous strain on families and their communities due to a lack of access to treatment in rural settings for individuals needing treatment. The effect is seen in rising overdose rates resulting in a heavy impact on emergency services and in death for many individuals. The current reality of these effects are taking a tremendous toll on the public health, welfare and safety of Californians. For those seeking services, they are often faced with access barriers due to services not being available in their communities and not having the ability to travel the distances required to get to services while still maintaining employment.

The regulations will benefit NTP providers through the provision of clear and comprehensive requirements for participation while adding new cost-effective opportunities for the provision of services. This in turn will benefit those in need of access to these services. This regulatory proposal ensures the proper and efficient administration of NTP services, in accordance with federal and state laws. The proposed amendments improve the integrity of the licensure requirements through clarity to the application process and a fee structure that is aligned correctly with statute yet will not have a notable change in the amounts due by NTP providers, or in their overall operations.

### Effect on Small Businesses

The Department has determined that the proposed regulations would only affect small businesses that choose to provide NTP services. While compliance with the proposed regulations is mandatory for all licensed NTP providers, the new provisions allowing for an OBNTN and/or medication unit are voluntary and not required for providers to participate in these service opportunities.

### Housing Costs Determination

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

## CONSIDERATION OF ALTERNATIVES

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

Existing regulations found in Title 9, CCR, Division 4, Chapter 4, Subchapter 1 commencing with Section 10000 are the primary regulations for NTPs. These regulatory provisions address numerous topics including program licensure, evaluation and administration, medication security and patient treatment. Many of these provisions will be updated and amended through this regulatory proposal. Using this regulatory proposal to adopt and amend requirements regarding NTPs is the most effective and convenient way to provide (current/updated) information directly to those impacted including the providers, patients and county departments.

ASSISTIVE SERVICES

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

The Department shall provide, upon request from a person with a visual disability or other disability for which effective communication is required under state or federal law, a narrative description of the additions to, and deletions from, the California Code of Regulations or other publication in a manner that allows for accurate translation by reading software used by the visually impaired. Providing this description may require extending the period of public comment for the proposed action pursuant to Government Code Section 11346.6.

CONTACT PERSONS

Inquiries regarding the proposed regulations described in this notice may be directed to Michael Freeman, Narcotic Treatment Programs at (916) 345-7590.

All other inquiries concerning the action described in this notice may be directed to Kenneisha Moore of the Office of Regulations, at (916) 345-8342, or to the designated backup contact person, Jasmin Delacruz, at (916) 440-7695.

AVAILABILITY OF TEXT OF REGULATIONS AND STATEMENT OF REASONS

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

The full text of any regulation which is changed or modified from the express terms of this proposed action

will be made available by the Department’s Office of Regulations at least 15 days prior to the date on which the Department adopts, amends, or repeals the resulting regulation.

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

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

**TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code Section 11346.8, any interested person, or his/her duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

**Public Comments Due October 1, 2018, at 5:00 p.m.**

Notice is also given that any interested person, or authorized representative, may submit written comments relevant to the proposed regulatory action by fax at (916) 227-2801 or emailing them to [Connie.Paoli@post.ca.gov](mailto:Connie.Paoli@post.ca.gov) or by letter:

Commission on POST  
 Attention: Connie Paoli  
 860 Stillwater Road, Suite 100  
 West Sacramento, CA 95605-1630

AUTHORITY AND REFERENCE

This proposal is made pursuant to the authority vested by Penal Code Section 13503 (authority of the Commission on POST) and Penal Code Section 13506 (POST authority to adopt regulations). This proposal is intended to interpret, implement, and make specific Penal Code Section 13503(e), which authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

**INFORMATIVE DIGEST/POLICY STATEMENT  
OVERVIEW**

At the June 21, 2018 meeting, the Commission approved a proposed amendment to POST Regulation 1015 and Commission Procedure E. The proposed amendments would allow law enforcement personnel to access the most current reimbursement rates provided on the California Human Resources Department (CalHR) website. The proposed changes, upon approval of the Office of Administrative Law will become effective January 1, 2019.

Current regulatory language provides specific reimbursement rates for various counties in the state in which law enforcement personnel attend related training and workshops. The proposed regulatory revisions are intended to make POST Regulation 1015 consistent with CalHR rates in a clear and concise fashion and meet the needs of POST's clients.

The changes will replace actual rates with a direct link to the CalHR website and will allow law enforcement personnel to review exact reimbursement rates.

The specific benefits anticipated by the proposed changes to the regulation will bring the regulation into alignment with current practices in other areas of the POST website. This amendment will allow staff to efficiently meet the needs of POST agencies and stakeholders by allowing them access to accurate rates as outlined on the CalHR website.

The benefits of the proposed amendments of regulations to the health and welfare of California residents would be to provide a better process for the exemption for requalification for peace officers. There would be no impact that would affect worker safety or the State's environment.

During the process of developing these regulations and amendments, the Commission on Peace Officer Standards and Training has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing State regulations.

**ADOPTION OF PROPOSED REGULATIONS**

Following the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and to all persons who request notification from

POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date that the revised text is made available.

**ESTIMATE OF ECONOMIC IMPACT**

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

Non-Discretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Costs to any Local Agency or School District for which Government Code Sections 17500-17630 require reimbursement: None.

Significant Statewide Adverse Economic Impact Directly Affecting California Businesses, including Small Business: The Commission on Peace Officer Standards and Training has made an initial determination that the amended regulations will not have a significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. The Commission on Peace Officer Standards and Training has found that the proposed amendments will not affect California businesses, including small businesses, because the Commission sets selection and training standards for law enforcement which does not impact California businesses, including small businesses.

Cost Impacts on Representative Private Persons or Businesses: The Commission on Peace Officer Standards and Training is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: The Commission on Peace Officer Standards and Training has made an initial determination that the proposed regulation would have no effect on housing costs.

**RESULTS OF ECONOMIC IMPACT  
ASSESSMENT PER GOV. CODE  
SECTION 11346.3(b)**

The adoption of the proposed amendments of regulations will neither create nor eliminate jobs in the State of California, nor result in the elimination of existing businesses or create or expand businesses in the State of California.

The benefits of the proposed amendments of regulations to the health and welfare of California residents

would be to provide a better process for the exemption for requalification for peace officers. There would be no impact that would affect worker safety or the State's environment.

CONSIDERATION OF ALTERNATIVES

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

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to Connie Paoli, at Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, or by email at [Connie.Paoli@post.ca.gov](mailto:Connie.Paoli@post.ca.gov) or (916) 227-2805. The alternate contact is Heidi Hernandez at [Heidi.Hernandez@post.ca.gov](mailto:Heidi.Hernandez@post.ca.gov) or (916) 227-2802.

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

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting Christy Correa at [christy.correa@post.ca.gov](mailto:christy.correa@post.ca.gov), or by phone at (916) 227-4847.

To request a copy of the Final Statement of Reasons once it has been prepared, submit a written request to:

Connie Paoli  
 Commission on POST  
 860 Stillwater Road, Suite 100  
 West Sacramento, CA 95605-1630

TEXT OF PROPOSAL

Individuals may request copies of the exact language of the proposed regulations and of the initial statement of reasons, and the information the proposal is based upon from the Commission on POST, 860 Stillwater

Road, Suite 100, West Sacramento, CA 95605-1630. These documents are also located on the POST Website at: <http://www.post.ca.gov/regulatory-actions.aspx>.

**GENERAL PUBLIC INTEREST**

**FISH AND GAME COMMISSION**

CALIFORNIA FISH AND GAME COMMISSION  
 NOTICE OF FINAL CONSIDERATION  
 OF PETITION

NOTICE IS HEREBY GIVEN pursuant to the provisions of Fish and Game Code Section 2078, that the California Fish and Game Commission (Commission), has scheduled final consideration of the petition to list Humboldt marten (*Martes caurina humboldtensis*) as a threatened or endangered species for its August 23, 2018 meeting. Consideration of the petition will be heard August 23, at 8:30 a.m., or as soon thereafter as the matter may be heard, at the River Lodge Conference Center, 1800 Riverwalk Drive, Fortuna, California.

The agenda of the August 23, 2018 meeting, and the agendas and video archive of previous meetings where actions were taken on Humboldt marten are available online at <http://www.fgc.ca.gov/meetings/>.

Pursuant to the provisions of Fish and Game Code, sections 2075 and 2075.5, the Commission will consider the petition and all other information in the records before the Commission to determine whether listing Humboldt marten as a threatened or endangered species is warranted.

The petition, the California Department of Fish and Wildlife evaluation reports, and other information in the records before the Commission are posted on the Commission website at <http://www.fgc.ca.gov/regulations/2018/index.aspx>.

**FISH AND GAME COMMISSION**

**NOTICE OF  
 RECEIPT OF PETITION**

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2073.3 of the Fish and Game Code, the California Fish and Game Commission (Commission), on July 23, 2018, received a petition from the Karuk Tribe and the Salmon River Restoration Council to list Upper Klamath-Trinity River spring Chinook salmon (*Oncorhynchus tshawytscha*) as endangered under the California Endangered Species Act.

Upper Klamath–Trinity River spring Chinook salmon occupy the main stems of the Klamath and Trinity rivers and tributaries during migration, spawning, and rearing; they also occupy the estuary and open ocean for variable time periods during maturation.

Pursuant to Section 2073 of the Fish and Game Code, on August 2, 2018, the Commission transmitted the petition to the California Department of Fish and Wildlife (Department) for review pursuant to Section 2073.5 of said code. The Commission will receive the petition at its October 17–18, 2018 meeting in Fresno. It is anticipated that the Department’s evaluation and recommendation relating to the petition will be received by the Commission at its December 12–13, 2018 meeting in Oceanside.

Interested parties may contact Kevin Shaffer, Fisheries Branch Chief, at California Department of Fish and Wildlife, 830 S Street, Sacramento, CA 95811 or (916) 327– 8841 or Kevin.Shaffer@wildlife.ca.gov, for information on the petition or to submit information to the Department relating to the petitioned species.

**PROPOSITION 65**

**OFFICE OF ENVIRONMENTAL  
HEALTH HAZARD ASSESSMENT**

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

**Announcement of the Carcinogen Identification  
Committee Meeting Scheduled for  
November 1, 2018 and**

**Availability of Hazard Identification Materials for  
N–Nitrosohexamethyleneimine and Gentian Violet**

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

ording to generally accepted principles to cause cancer.

N–Nitrosohexamethyleneimine and gentian violet will be considered for possible listing by the CIC at a public meeting scheduled for **Thursday, November 1, 2018**. The meeting will be held in the Sierra Hearing Room at the CalEPA Headquarters building, 1001 I Street, Sacramento, California. The meeting will begin at 10:00 a.m. and will last until all business is conducted or until 5:00 p.m. The agenda for the meeting will be provided in a future public notice published in advance of the meeting.

OEHHA announces the availability for public review of the hazard identification documents entitled: “Evidence on the Carcinogenicity of N–Nitrosohexamethyleneimine” and “Evidence on the Carcinogenicity of Gentian Violet.” The CIC will consider these documents in making any listing decisions on N–nitrosohexamethyleneimine and gentian violet at its November 1, 2018 meeting. In preparing these documents, OEHHA issued a request for information relevant to the evidence of carcinogenicity of N–nitrosohexamethyleneimine and gentian violet. The data call–in period for this request for information opened on April 6, 2018 and closed on May 21, 2018. No submissions were received.

Copies of the hazard identification documents are available from OEHHA’s website at <https://oehha.ca.gov/proposition-65>. The documents may also be requested from OEHHA’s Proposition 65 Implementation Office by calling (916) 445–6900.

This notice marks the beginning of a 45–day public comment period on these documents. **OEHHA must receive comments and any supporting documentation by 5:00 p.m. on Monday, October 1, 2018.** All timely filed public comments will be provided to CIC members in advance of the meeting. The public is also able to make oral comments at the meeting. Public comments at the meeting will be limited to five minutes per commenter, except for those commenters who make requests by October 2, 2018 and receive approval from the Chair for longer comments. If you would like to make public comments to the Committee exceeding five minutes, please submit a request with an estimate of the time you will need and the reason you are requesting additional time, to the Proposition 65 mailbox at [P65Public.Comments@oehha.ca.gov](mailto:P65Public.Comments@oehha.ca.gov) or call the Proposition 65 Implementation Office at (916) 445–6900 by 5:00 p.m. on October 1, 2018.

Comments on the hazard identification documents may be submitted electronically through our website at <https://oehha.ca.gov/comments>. Comments submitted in paper form can be mailed, faxed, or delivered in person to the address below.

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



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

Street  
 Address: 1001 I Street  
 Sacramento, California 95814

Fax: (916) 323-2265

Comments received during the public comment period will be posted on the OEHHA website in advance of the meeting. Electronic files submitted should not have any form of encryption because OEHHA is subject to the California Public Records Act and other laws that require the release of certain information upon request. If you provide comments, please be aware that your name, address and e-mail may be available to third parties.

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

**OFFICE OF ENVIRONMENTAL  
 HEALTH HAZARD ASSESSMENT**

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

**ACCEPTANCE OF A REQUEST FOR A SAFE  
 USE DETERMINATION FOR STYRENE IN  
 FIBER CARE BATHS, INC. BATHWARE  
 PRODUCTS MANUFACTURED UTILIZING  
 15T AND 2ND LAMINATIONS SYSTEMS AND  
 LV-9800 ACRYLATED GEL-COAT AND  
 OPPORTUNITY FOR PUBLIC COMMENT**

The California Environmental Protection Agency's Office of Environmental Health Hazard Assessment (OEHHA) is the lead agency for the implementation of the Safe Drinking Water and Toxic Enforcement Act of 1986 (commonly known as Proposition 65, codified at Health and Safety Code section 25249.5 *et seq.*). OEHHA has received a request for a Safe Use Determination (SUD) for styrene in Fiber Care Baths, Inc. bathware products, including tub showers, tubs, shower pans, shower stalls, walk-in baths, and handicapped access stalls, manufactured utilizing 1st and 2nd laminations systems and application of the LV-9800 acrylated gel-coat. Specifically, this request is for a determination that exposures to styrene from these bathware

products do not present significant cancer risks under Proposition 65, and therefore do not require a warning. The request is made by Tech America Corp. on behalf of Fiber Care Baths, Inc. pursuant to Title 27 of the California Code of Regulations, section 25204(b)(3).

This SUD request is limited to exposures to styrene from Fiber Care Baths, Inc. bathware products manufactured utilizing 1st and 2nd laminations systems and application of the LV-9800 acrylated gel-coat. Exposure to other listed substances, if any, which may be present in these materials will not be reviewed by OEHHA in the context of this request.

In accordance with the process set forth in section 25204(f)<sup>1</sup>, interested persons may comment on the request in writing within a 30-day public comment period. In order for public comments to be considered, **OEHHA must receive written comments by 5:00 p.m. on Monday, September 17, 2018.** We encourage you to submit comments in electronic form, rather than in paper form. Comments may be submitted electronically through our website at <https://oehha.ca.gov/comments>. Comments submitted in paper form may be mailed, faxed, or delivered in person to the address below.

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

**Fax:** (916) 323-2265

**Street**  
**Address:** 1001 I Street  
 Sacramento, California 95814

Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period. Electronic files submitted should not have any form of encryption.

A public hearing on this request for a SUD will be scheduled upon request. To request a hearing, send an e-mail to Michelle Ramirez at [Michelle.Ramirez@oehha.ca.gov](mailto:Michelle.Ramirez@oehha.ca.gov) or to the address listed below by no later than August 31, 2018, which is at least 15 days before the close of the comment period. If requested, the hearing will be held on a date not less than 30 days after the notice is published. OEHHA will mail a notice of the hearing to the requester and the notice will also be posted on the OEHHA website at least ten days before the public hearing date. The notice will provide the date, time, and location of the hearing.

<sup>1</sup>All referenced sections are from Title 27 of the Cal. Code of Regulations.

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

**DECISION NOT TO PROCEED**

**DEPARTMENT OF CORRECTIONS AND REHABILITATION**

**Pursuant to Government Code section 11347  
California Department of Corrections and  
Rehabilitation**

**Re: Notice of Proposed Rulemaking concerning  
Cell, Property, and Body Inspections**

Pursuant to Government Code Section 11347, the California Department of Corrections and Rehabilitation hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Regulatory Notice Register on September 1, 2017, Register 2017, No. 35-Z. The proposed rulemaking concerned Cell, Property, and Body Inspections (OAL Notice Z2017-0822-07.)

Any interested person with questions concerning this rulemaking should contact Anthony Carter at either (916) 445-2220 or by e-mail at: [Anthony.Carter@CDCR.ca.gov](mailto:Anthony.Carter@CDCR.ca.gov).

The Department will also post this Notice of Decision Not to Proceed on its website.

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

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

**DEPARTMENT OF CORRECTIONS AND  
REHABILITATION**

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

Thanh Huynh, Senior Attorney  
Office of Administrative Law  
300 Capitol Mall, Ste. 1250  
Sacramento, CA 95814

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

Petitioner:

Andrea Cardosa, WF1463  
CIW, EA405UP  
16756 Chino Corona Road  
Corona, California 92880

Agency contact:

Ying Sun, Chief  
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: August 17, 2018

Deadline for Public Comments: September 17, 2018

Deadline for Agency Response: November 1, 2018

Deadline for Petitioner Rebuttal: No later than 15 days after receipt of the agency's response

Deadline for OAL Decision: December 17, 2018

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

**RECEIVED  
JUN 01 2018  
STATE OF CALIFORNIA  
OFFICE OF  
ADMINISTRATIVE LAW**

ANDREA CARDOSA, WF1463  
CIW, EA405UP  
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PETITION SEEKING DETERMINATION OF  
AN UNDERGROUND REGULATION

AGENCY: DEPARTMENT OF CORRECTIONS  
AND REHABILITATION

3. PURPORTED UNDERGROUND  
REGULATION

An internal memorandum from the Office of Correctional Education and addressed to “Principals” contains the policy amending criteria for earning milestone completion credits for college coursework is the alleged underground regulation. (Exhibit A)

This memorandum also declared the Department “has filed a proposed amendment to the regulatory schedule for education programs that qualify for milestone completion credit that will take effect when final rulemaking package for Proposition 57 is adapted in the spring of 2018” (p.1, Exhibit A)

The specific provisions on page 4 of this memorandum depart from the criteria in the California Code of Regulations, Title 15, subsection 3043.3 subdivisions (d) and (e), by amending the criteria and enlarging the scope by adding additional criteria not originally included in the regulations.

These additional criteria are in the form of 8 bulleted items pertaining to the type of college class and are interpreted to override the requirements of coursework, assignments, and evaluations demonstrating mastery that is the language provided to the electorate.

These new criteria focus on the value level or academic weight of each class rather than tasks or the academic performance of inmates participating in the college classes: diligent attendance, completing assignments, instructor evaluations, measured assessments, and demonstration of mastery — all of which contribute to effective rehabilitation.

Effectively, these criteria reward the class not the performing inmate. The incentive that was communicated to the public and the inmate was garnered to the inmate,

whereas the new policy shifts that incentive to the inanimate class. This was not put to the voters, nor was it approved by the voters. This policy also changes the agreement between the Department and the interested parties, an implication that any work in one class is less or more than another. This is a flawed implication.

The language in the memorandum indicated the Department’s acknowledgment of their obligation to comply with the Administrative Procedures Act prior to the adoption of new policy, yet this obligation has not been met.

4. DESCRIPTION OF AGENCY ACTIONS

The regulations of the Public Safety Act of 2016 (Proposition 57) were effective as late as August 2017. The fall semester of Chaffey College at the California Institution for Women began in August 2017. It ended in December 2017. The internal memorandum challenged was distributed to Principals and dated January 2, 2018, after the completion of a semester (Exhibit A). After the inmates complied with and met the regulations at the completion of the semester, this new policy served to deny the awarding of milestone completion credit. However, they were not notified of any of the proposed changes.

When inmates should have been receiving notice of earned credits, they were not, and it created the circulation of the rumor that credits would not be awarded. This rumor was then confirmed when Mr. Rodriguez, the VEP teacher at CIW, posted a list of Chaffey classes that were eligible for milestone credits. This is when inmates learned that their commitment to education was not rewarded, but the class was. The class is not the one interested in prison credits. No where in the original regulations stipulated specific criteria about the type of college class needed for credit. This new criteria had been adopted and implemented without communication to the public or the inmates.

In April 2018, there was still no amendment to the regulation or communication of this policy change to the inmates. Petitioner initially challenged this policy, but Mr. Rodriguez denied it based on the reliance of the policy, “guidelines dictated by CDCR’s Office of Correctional Education” (Exhibit B). It is only after this challenge that I was able to procure a copy of the internal memorandum.

Another inmate challenged the policy via the 602 remedy (Exhibit C) and was also denied. Her challenge was assigned to the office of the Associate Warden over Housing and Education. This denial was also based on the policy in the memorandum.

When this petitioner initiated her 602 remedy, this challenge was not assigned to the Associate Warden but to a person named S. Watts, a Government Program An-

alyst (Exhibit D). There has been no disposition of this remedy as of the submission of this petition.

Though inmates enrolled in one of the top 10 community colleges in the state of California have successfully completed two semesters (6 classes, 20 units) of assignments, evaluations, attendance, and assessments, milestone credits have not been awarded for the first semester, and determination is pending for the second semester.

The Prison Law Office published “new and revised programming credits” as of March 9, 2018, and this new policy is not included, nor has the original criteria been abated (Exhibit E).

5. LEGAL BASIS FOR CONCLUSION THAT POLICY AND CRITERIA IS A REGULATION AS DEFINED IN SECTION 11342.600 OF GOVT. CODE

Penal Code section 5058, subd.(a) provides in relevant part: “The [CDCR Secretary] may prescribe and amend rules and regulations for the administration of prisons . . . The rules and regulations shall be promulgated and filed pursuant to [the APA], except as otherwise provided in this section and sections 5058.1 to 5058.3, inclusive.”

Pursuant to the APA, “[n]o state agency shall issue, utilize, enforce, or attempt to enforce any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, which is a regulation as defined in Section 11342.600, unless the guideline, criteria, bulletin, manual, instruction, order, standard of general application, or other rule has been adopted as a regulation and filed with the Secretary of State,” (Government Code, Section 11340.5, subd. (a). The attached exhibits demonstrate the reliance on this policy affecting new criteria for earning milestones.

Reliance on this policy is an obstruction to the Act’s purpose, which “shall be broadly construed to accomplish its purposes” (Text of Proposition 57, Section 9, p.146). The act’s emphasis on rehabilitation is a dramatic change of course and a ringing endorsement of rehabilitation as opposed to pure punishment,” (People v. Cervantes (2017) 9 Cal. App. 5th 569, 596, 215 Cal. Rptr. 3d 174) This policy sent from the Office of Correctional Education changes the very incentive provided to inmates and shifts focus from their performance to the class itself. Further, as reflected on the 602 remedy assignment form given to petitioner, the topic is labeled as “INCENTIVE” (Exhibit D). The incentive is not based on their rehabilitation but on the completion of higher level college courses.

“Once a person begins serving his prison sentence, he is governed by an entirely distinct and exclusive scheme for earning credits to shorten the period of incarceration” (People v. Buckhalter (2001) 26 Cal. 4th

20, 31, 108 Cal. Rptr. 2d 625, 25 P.3d 1103). This scheme was provided for in the regulations effective in August 2017, yet CDCR has not adhered to them and has implemented far different ones.

Careful attention must be paid to the word “interpret”; Govt. Code § 11342.600 must be read together with other applicable statutes, notably §§ 11346, 11340.5. These authorities indicate that agency “interpretations” of statutes and regulations need not be adopted pursuant to the APA unless those interpretations involve the quasi-legislative creation of a “new regulation standard” (Bendix Forest Products Corp. v. Division of Occup; Saf. & Health (1979) 25 Cal. 3d 465, 472, 158 Cal. Rptr. 882, 886, 600 P.2d 1339). The “new” rule standard may be something as simple as a rule setting a deadline for receipt . . . or as complex as a wholly new inmate classification system for the state prison system[Stoneham v. Rushen (1982) 137 Cal. App.3d 729, 188 Cal. Rptr. 130]

An example of a policy determined to be regulations subject to APA rulemaking requirement: A policy memorandum declaring that work performed outside one’s job classification does not count toward qualifying for a promotion (Ligon v. State Personnel Bd.(1981) 123 Cal. App. 3d 583, 588, 176 Cal. Rptr. 717). The nature of this policy is apposite to that of the policy implemented by the Office of Correctional Education, declaring that coursework in certain classes does not qualify for milestone credit after originally establishing that it did. This is the disparity challenged, where the validity of the internal memorandum rests on improper implementation: it was done so without promulgation, subject to the rulemaking procedures of the APA.

This protocol declares how a certain class of inmates would be treated, and CDCR failed to comply with the APA procedures in the implementation of the provision in the memorandum. Further, if the voters had intended to make specific criteria excluding certain college courses (inherently de-valuing the effort and performance of inmates) under Proposition 57, they presumably would have said so.

If a rule constitutes a regulation within the meaning of the APA, it may not be adopted, amended, or repealed except in conformity with basic minimum procedural requirements, Govt. Code § 11346(a), that are exacting. (Morales v. CDCR (2008) 168 Cal. App. 4th 729) Morales, supra, 168 Cal. App. 4th 729 went on to cite APA, Govt. Code § 11340 et. seq.’s definition of “regulation” as every rule . . . “or revision of any rule” as the internal memorandum serves as a revision of the regulation regarding milestone completion credit. This policy carries the two identifying characteristics of a regulation subject to the APA: the agency intends this rule to apply generally, as it was addressed to “Principals” (fa-

cilities and institutions with education programs), and the rule is implementing and making specific the law enforced and administered by the agency.

As the prison's reliance evinced in the enclosed denials reflects a policy adoption, it has been determined that "Proposed policy statement of apprenticeship council was, in effect, a rule of the council and as such, to have legal force, was required to be properly promulgated and published in Administrative Code in accordance with §§ 11370 to 11440, now § 11340 et. seq., 21 Op. Atty. Gen. 161 (1953).

The statutory constraints on an agency's ability to adopt regulations apply with equal force to more informal agency action (*County of San Diego v. Bowen* (2008) 82 Cal. Rptr. 3d 818, 166 Cal. App. 4th 501) Even if this policy is considered to be informal or slight, it is still subject to the rulemaking procedures of the APA.

In *Tidewater Marine Western, Inc. v. Bradshaw* (1996) 14 Cal. 4th 557, the Division of Labor Standards Enforcement (DLSE) adopted a written policy providing that previously announced Industrial Welfare Commission standards pertained to certain types of nautical crews. This was done without public input.

This written policy is akin to the policy from the Office of Correctional Education that was implemented without public input. That policy was challenged on the ground that the DLSE failed to comply with APA procedures in promulgating it, and so is this petitioner's challenge based on the same ground: CDCR/OCE has adopted this written policy without public input. It has adopted it without even changing the regulation that governs the milestone completion credit for education programs and college classes.

Further, to the extent any of the contents of the statement of policy or procedure depart from or embellish upon express statutory authorization and language, the [agency] will need to promulgate regulations." (*Engelmann v. State Bd. of Education* (1991) 2 Cal.App. 4th 47, 62, 3 Cal. Rptr. 2d 264). This policy departed from the performance of the inmate to the type of class completed. Since the purpose of the Act is rehabilitation, a policy that focuses on the classes instead of the inmate, and removes incentive, it cannot be considered in line with the purpose of the statute.

POLICY DOES NOT FALL WITHIN EXCEPTIONS

The sole legally tenable understanding of the law cannot be argued in this case. In February 2018, the Prison Law Office distributed a letter with the same interpretation the inmates held and communicated in the internal memorandum in question: page 1, paragraph

2 of the memorandum states the very language of completion of assignments, etc. The Prison Law Office also held this interpretation (Exhibit F). The Prison Law Office construed no other interpretation, and it certainly did not concur with the interpretation of a certain type of college course as criteria.

The explicit language in the memorandum, "Under the current MCC Schedule" established the existing regulation, therefore any denial of milestones conflicts with the current MCC Schedule. Denying milestones based on an anticipated change is not appropriate practice. Additionally, the exception for the lone legally tenable reading of the law applies only in situations where the law can reasonably read only one way. This new policy reads rules that are not included in the regulations in any language.

"The internal management exception in Govt. Code, § 11340.9, subd.(d), is a narrow one, as demonstrated by a line of cases consistently rejecting its application — even where the policies govern internal administrative matters — if the policies or procedures affect the interests of persons other than the agency itself" (*California School Bds. Assn. v. State Bd. of Education* (2010) 191 Cal. App. 4th 530). As this policy affects inmates in prisons across the state, it cannot be said that it only affects the interests of those in the agency.

Any doubt as to the applicability of the APA's requirements for regulations should be resolved in favor of the APA (*Morales v. California Dept. of Corrections and Rehabilitation* (2008) 85 Cal. Rptr.3d 724, 168 Cal. App. 4th 729)

Teachers' union seeking enforcement of regulation governing certification of studio teachers was not required to petition assistant state labor commissioner and state Department of Industrial Relations to adopt, amend or repeal regulations prior to seeking writ of mandate, but rather to enforce it as written (*Motion Picture Studio Teachers & Welfare Workers v. Millan* (1996) 59 Cal. Rptr.2d 608, 51 Cal. app. 4th 1190)

6. ISSUES OF CONSIDERABLE PUBLIC IMPORTANCE REQUIRING RESOLUTION

As indicated supra, the Act's emphasis has shifted the focus of incarceration from punishment to rehabilitation. Given that, as of June 2012, 60.8 percent of state prison inmates have a medium to high need for academic or career tech programs, incentives to enroll in and complete higher level educational programs becomes paramount.

If there is a burden to relieve overcrowding and release inmates into society earlier than scheduled, then the importance of educating those inmates to be released shares that paramount importance. It is in society's best interest to release inmates who have rehabili-

tated; it is in society’s best interest to release educated inmates.

Penal Code section 2054.2 placed the responsibility of implementing incentives to increase inmate participation in academic and vocational education on the Department of Corrections and Rehabilitation. There is a penological interest as well as a public importance interest in increasing the inmate participation in education. It is not enough that inmates go to school: they must complete assignments, be evaluated, and demonstrate mastery. This is established in the regulation that the Department has abandoned.

Awarding milestone completion credits that shorten the prison sentences is an effective incentive that provides positive motivation for inmates to commit to education and rehabilitation. The public does not want to see recidivism; the public stands to benefit from one who has developed an appreciation for the value of an education. The educated inmate is less likely to re-offend.

**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# 2018-0724-02  
 BOARD OF EDUCATION  
 English Language Proficiency Assessments for California

This emergency rulemaking by the State Board of Education amends definitions and requirements, as well as responsibilities and guidelines for the administration, accessibility resources, test security, reporting, and apportionment related to the English Language Proficiency Assessments for California.

Title 5  
 AMEND: 11517.6, 11518, 11518.15, 11518.20, 11518.25, 11518.30, 11518.35, 11518.40, 11518.45, 11518.50, 11518.70, 11518.75, 11519.5  
 Filed 08/03/2018  
 Effective 08/03/2018  
 Agency Contact: Hillary Wirick (916) 319-0860

File# 2018-0620-02  
 BUREAU OF AUTOMOTIVE REPAIR  
 Smog Check Inspection Equipment, Procedures, and Reference Documents

This regular rulemaking by the Bureau of Automotive Repair (the “Bureau”) amends the BAR-97 Emission Inspection System Manual, which includes requirements for manufacturers that develop the equipment certified by the Bureau, and the Smog Check Manual, which includes requirements for Smog Check station equipment and testing procedures. Both of these documents are incorporated by reference in title 16 of the California Code of Regulations.

Title 16  
 AMEND: 3340.17, 3340.41, 3340.45  
 Filed 08/02/2018  
 Effective 08/02/2018  
 Agency Contact: Brian Clark (916) 403-8560

File# 2018-0622-01  
 DEPARTMENT OF CORRECTIONS AND REHABILITATION  
 Establishing Chapter 2, Rules and Regulations of Health Care Services

This action relocates, without substantive change, all of Article 8.6 (Health Care Grievances) of Chapter 1, Division 3 and 14 sections from Article 8 (Medical and Dental Services) of Subchapter 4 of Chapter 1, Division 3 to new Chapter 2 (Rules and Regulations of Health Care Services) of Division 3. This action also revises all necessary cross-references, amends reference citations, and makes additional stylistic changes.

Title 15  
 ADOPT: 3999.98, 3999.99, 3999.320  
 AMEND: 3355, 3087 renumbered as 3999.225, 3087.1 renumbered as 3999.226, 3087.2 renumbered as 3999.227, 3087.3 renumbered as 3999.228, 3087.4 renumbered as 3999.229, 3087.5 renumbered as 3999.230, 3087.6 renumbered as 3999.231, 3087.7 renumbered as 3999.232, 3087.8 renumbered as 3999.233, 3087.9 renumbered as 3999.234, 3087.10 renumbered as 3999.235, 3087.11 renumbered as 3999.236, 3087.12 renumbered as 3999.237, 3350 renumbered as 3999.200(a), 3350.1 renumbered as 3999.200(b), (c), and (d), 3350.2 renumbered as 3999.200(f), (g), and (h), 3351 renumbered as 3999.210, 3353 renumbered as 3999.202, 3353.1 renumbered as 3999.203, 3354.2 renumbered as 3999.206, 3356 renumbered as 3999.410, 3357 renumbered as 3999.440, 3358 renumbered as 3999.375, 3359 renumbered as 3999.411, 3359.8 renumbered as 3999.200(e)  
 Filed 08/06/2018  
 Agency Contact: DeAnna Gouldy (916) 691-3747

File# 2018-0718-02  
 DEPARTMENT OF CORRECTIONS AND  
 REHABILITATION  
 Provisions of Care and Treatment Exclusions

In this emergency action, submitted as operationally necessary pursuant to Penal Code section 5058.3, the Department of Corrections and Rehabilitation amends two sections regarding the basis for providing health care services. The amendments are to definitions and conditions that may be excluded from care.

Title 15  
 AMEND: 3350, 3350.1  
 Filed 08/01/2018  
 Effective 08/01/2018  
 Agency Contact: Justin McCall (916) 691-3325

File# 2018-0726-04  
 DEPARTMENT OF FINANCIAL INFORMATION  
 SYSTEM FOR CALIFORNIA (FISCAL)  
 Conflict-of-Interest

This is a Conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2  
 ADOPT: 59830  
 Filed 08/02/2018  
 Effective 09/01/2018  
 Agency Contact: Pat Cruz (916) 576-5173

File# 2018-0730-01  
 DEPARTMENT OF FOOD AND AGRICULTURE  
 Oriental Fruit Fly Eradication Area

This emergency rulemaking action by the Department of Food and Agriculture (Department) amends the Oriental Fruit Fly Eradication Area to include El Dorado and Shasta counties. Additionally, the Department is revising the host list to comply with the requirements of the United States Department of Agriculture. Upon establishment of the eradication areas in El Dorado and Shasta counties, the Department will perform detection, control and eradication activities.

Title 3  
 AMEND: 3591.2  
 Filed 08/02/2018  
 Effective 08/02/2018  
 Agency Contact: Rachel Avila (916) 403-6813

File# 2018-0620-03  
 DEPARTMENT OF JUSTICE  
 Privacy Notices

This rulemaking action by the Department of Justice (“Department”) amends five firearm registration forms

to add a “Privacy Notice” as required by Civil Code section 1798.17. The Department is also revising the relevant regulation text to reflect the change in revision dates of the forms.

Title 11  
 AMEND: 4002  
 Filed 08/02/2018  
 Effective 10/01/2018  
 Agency Contact: Jacqueline Dosch (916) 227-7614

File# 2018-0620-05  
 OFFICE OF ENVIRONMENTAL HEALTH  
 HAZARD ASSESSMENT  
 Prop 65 Article 5 Naturally Occurring Arsenic in Rice

The Office of Environmental Health Hazard Assessment (Office) proposed this action to adopt a regulation for establishing levels of certain listed chemicals in specific unprocessed foods that are considered to be naturally occurring, below which businesses would be exempt from providing a Proposition 65 warning pursuant to Health and Safety Code section 25249.6. In this action, the Office established naturally occurring concentrations of inorganic arsenic in rice at 80 parts per billion for white rice and 170 parts per billion for brown rice.

Title 27  
 ADOPT: 25501.1  
 Filed 08/02/2018  
 Effective 10/01/2018  
 Agency Contact: Monet Vela (916) 323-2517

File# 2018-0717-04  
 OFFICE OF TRAFFIC SAFETY  
 Conflict-of-Interest Code

This is a Conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 2  
 AMEND: 58200  
 Filed 08/01/2018  
 Effective 08/31/2018  
 Agency Contact: Lilliann Isaak (916) 509-3030

File# 2018-0719-03  
 PHYSICIAN ASSISTANT BOARD  
 1) Curriculum Requirements for an Approved Program for Primary Care Physician Assistants 2) Requirements for an Approved Program for Specialty Training of Physician Assistants

The Physician Assistant Board proposed this action to repeal two regulations that establish curriculum requirements for approved programs for primary care physician assistants and for the specialty training of physician assistants.

Title 16  
 REPEAL: 1399.531, 1399.532  
 Filed 08/08/2018  
 Effective 10/01/2018  
 Agency Contact: Anita Winslow (916) 561-8782

File# 2018-0625-01  
 STATE WATER RESOURCES CONTROL BOARD  
 Surface Water Augmentation Using Recycled Water  
 This action establishes standards and requirements for augmentation of surface water with recycled water.

Title 22  
 ADOPT: 60301.120, 60301.850.5, 60301.851, 60301.852, 60301.853, 60320.300, 60320.301, 60320.302, 60320.304, 60320.306, 60320.308, 60320.312, 60320.320, 60320.322, 60320.326, 60320.328, 60320.330, 64668.05, 64668.10, 64668.20, 64668.30  
 AMEND: 60301.450  
 Filed 08/07/2018  
 Effective 10/01/2018  
 Agency Contact: Michael McKibben (619) 525-4023

File# 2018-0726-03  
 VETERINARY MEDICAL BOARD  
 Fee Schedule  
 This action by the Veterinary Medical Board readopts prior emergency rulemaking no. 2018-0221-03E, which increased several types of examination and licensure fees.

Title 16  
 AMEND: 2070, 2071  
 Filed 08/01/2018  
 Effective 09/05/2018  
 Agency Contact: Amanda Drummond (916) 515-5238

**CCR CHANGES FILED WITH THE SECRETARY OF STATE WITHIN March 7, 2018 TO August 8, 2018**

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**  
 05/21/18 AMEND: 44

**Title 2**  
 08/02/18 ADOPT: 59830  
 08/01/18 AMEND: 58200  
 07/17/18 REPEAL: 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2700, 2701, 2702, 2703, 2704, 2705  
 07/03/18 ADOPT: 18308, 18308.1, 18308.2, 18308.3  
 06/21/18 AMEND: 1859.190, 1859.194, 1859.195, 1859.198  
 06/19/18 AMEND: 554.7  
 05/17/18 ADOPT: 11027.1 AMEND: 11028  
 05/16/18 ADOPT: 20150, 20151, 20152, 20153, 20154, 20155, 20156, 20157, 20158, 20159, 20160, 20161, 20162, 20163, 20164, 20165  
 05/09/18 AMEND: 321  
 05/09/18 AMEND: 11034  
 04/25/18 AMEND: 18401  
 04/25/18 AMEND: 18450.1  
 04/23/18 ADOPT: 1859.90.4 AMEND: 1859.2, 1859.90, 1859.90.2, 1859.90.5  
 04/16/18 AMEND: 1859.2, 1859.51, 1859.70, 1859.82, 1859.93.1  
 04/12/18 AMEND: 1859.2, 1859.81  
 04/04/18 AMEND: 41000  
 04/02/18 ADOPT: 243, 243.1, 243.2, 243.3, 243.4, 243.5, 243.6, 548.120, 548.120.1, AMEND: 249, 266, 266.1, 266.2, 266.3, 548.121, 548.122, 548.123, 548.124  
 04/02/18 AMEND: 38000, 38000.5, 38000.10  
 03/20/18 AMEND: 18746.1, 18746.4  
 03/20/18 AMEND: 18746.3  
 03/20/18 REPEAL: 18901  
 03/14/18 ADOPT: 61200, 61201, 61210, 61211, 61212, 61213, 61214, 61215, 61216, 61217  
 03/12/18 AMEND: 586.1(a)  
 03/12/18 ADOPT: 599.855  
 03/08/18 ADOPT: 20020, 20021, 20022, 20023, 20024, 20025, 20026, 20027

**Title 3**  
 08/02/18 AMEND: 3591.2  
 07/31/18 AMEND: 3  
 07/19/18 AMEND: 3591.2  
 06/28/18 AMEND: 3435(b)  
 06/21/18 AMEND: 3439(b)  
 06/21/18 AMEND: 3591.5  
 06/18/18 AMEND: 1280.11  
 06/04/18 ADOPT: 8000, 8100, 8101, 8102, 8103, 8104, 8105, 8106, 8107, 8108, 8109, 8110, 8111, 8112, 8113, 8114, 8115,



	8200, 8201, 8202, 8203, 8204, 8205, 8206, 8207, 8208, 8209, 8210, 8211, 8212, 8213, 8214, 8215, 8216, 8300, 8301, 8302, 8303, 8304, 8305, 8306, 8307, 8308, 8400, 8401, 8402, 8403, 8404, 8405, 8406, 8407, 8408, 8409, 8500, 8501, 8600, 8601, 8602, 8603, 8604, 8605, 8606, 8607, 8608		8078.33, 8078.34, 8078.35 AMEND: 8070, 8071, 8072, 8073, 8074, 8076, 8078.3 REPEAL: 8078.1, 8078.2
05/30/18	AMEND: 3439(b)	03/13/18	AMEND: 5032, 5033, 5170, 5180, 5190, 5193, 5194, 5230, 5240, 5255, 5260, 5342, 5350, 5400, 5700
05/24/18	AMEND: 3439(b)		
05/24/18	AMEND: 6502	<b>Title 5</b>	
05/18/18	AMEND: 3439(b)	08/03/18	AMEND: 11517.6, 11518, 11518.15, 11518.20, 11518.25, 11518.30, 11518.35, 11518.40, 11518.45, 11518.50, 11518.70, 11518.75, 11519.5
04/30/18	AMEND: 3439(b)	07/23/18	AMEND: 40050.2, 40100.1, 40513, 40514, 41021
04/04/18	AMEND: 3591.15	07/03/18	ADOPT: 71396, 71397, 71398, 71399
03/27/18	AMEND: 3439(b)	06/21/18	AMEND: 19810
03/26/18	AMEND: 3439(b)	06/07/18	AMEND: 19810
03/13/18	AMEND: 3591.15	05/18/18	ADOPT: 11301, 11309, 11310, 11311, 11312 AMEND: 11300, 11316 REPEAL: 11301, 11309, 11310
<b>Title 4</b>		05/08/18	AMEND: 75020
07/26/18	AMEND: 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10184, 10185, 10186, 10187, 10188, 10190	04/30/18	AMEND: 41906.5, 41906.6
07/18/18	AMEND: 2050	04/30/18	AMEND: 42909
07/09/18	AMEND: 10325, 10326	<b>Title 8</b>	
07/03/18	AMEND: 10152, 10153, 10154, 10155, 10158 (amended and renumbered), 10159 (amended and renumbered), 10160 (amended and renumbered). REPEAL: 10156, 10157	05/30/18	AMEND: 1618.1
07/02/18	ADOPT: 5700, 5710, 5711, 5720, 5721, 5722, 5730, 5731 AMEND: 5000, 5020, 5100	05/17/18	ADOPT: 11770, 11771, 11771.1, 11771.2, 11772, 11773
05/30/18	AMEND: 10091.1, 10091.2, 10091.3, 10091.4, 10091.5, 10091.6, 10091.7, 10091.8, 10091.9, 10091.10, 10091.12, 10091.13, 10091.14, 10091.15	05/08/18	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, 32621, 32625, 32630, 32635, 32640, 32644, 32645, 32647, 32648, 32649, 32650, 32661, 32680, 32690, 32700, 32720, 32721, 32722, 32724, 32726, 32728, 32730, 32732, 32734, 32735, 32736, 32738, 32739, 32740, 32742, 32744, 32746, 32748, 32750, 32752, 32754, 32761, 32762, 32763, 32770, 32772, 32774, 32776, 32980, 32990, 32992, 32993, 32994, 32995, 32996, 32997 REPEAL: 32036, 32037, 32610, 32611, 32806, 32808, 32810, 95000, 95010, 95020, 95030, 95040,
05/25/18	AMEND: 5000, 5033, 5035, 5037, 5054, 5060, 5101, 5102, 5120, 5144, 5170, 5191, 5212, 5230, 5240, 5250, 5540 REPEAL: 5259		
05/17/18	AMEND: 12590		
05/15/18	AMEND: 12204, 12220, 12238, 12560		
04/30/18	AMEND: 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.9, 10170.10		
04/10/18	AMEND: 10179		
04/09/18	ADOPT: 5700, 5710, 5711, 5720, 5721, 5722, 5730, 5731 AMEND: 5000, 5020, 5100		
03/29/18	AMEND: 7051, 7054, 7055, 7056, 7063, 7071		
03/22/18	AMEND: 1699		
03/15/18	ADOPT: 8078.22, 8078.23, 8078.24, 8078.25, 8078.26, 8078.27, 8078.28, 8078.29, 8078.30, 8078.31, 8078.32,		

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95045, 95050, 95070, 95080, 95090,  
95100, 95150, 95160, 95170, 95180,  
95190, 95200, 95300, 95310, 95320,  
95330  
05/08/18 AMEND: 9789.31, 9789.32, 9789.39  
04/27/18 AMEND: 9789.25  
03/19/18 AMEND: 344.18  
03/09/18 ADOPT: 3345

**Title 9**

06/21/18 AMEND: 4350  
05/17/18 AMEND: 3850, 3850.010  
05/14/18 AMEND: 3560, 3560.010, 3560.020,  
3705, 3726, 3735, 3750, 3755  
05/08/18 ADOPT: 4020, 4020.1  
03/20/18 AMEND: 7140.5

**Title 10**

06/13/18 AMEND: 2498.5  
05/31/18 AMEND: 2715, 2728.5, 2752  
05/22/18 AMEND: 2498.6  
04/20/18 ADOPT: 6520, 6522, 6524, 6526, 6528,  
6530, 6532, 6534, 6538  
03/27/18 AMEND: 30.60 REPEAL: 30.105  
03/26/18 AMEND: 2318.6, 2353.1, 2354  
03/26/18 AMEND: 2318.6, 2353.1  
03/22/18 AMEND: 3525, 3527, 3561, 3569, 3570,  
3575, 3602, 3603, 3681  
03/20/18 AMEND: 3541  
03/07/18 AMEND: 6656, 6657, 6660, 6664

**Title 11**

08/02/18 AMEND: 4002  
07/31/18 AMEND: 49.18  
06/21/18 AMEND: 1005  
06/18/18 AMEND: 1005, 1007, 1008, 1052  
06/13/18 ADOPT: 51.32  
06/05/18 AMEND: 1005, 1007, 1008  
06/05/18 ADOPT: 49.18  
05/21/18 ADOPT: 5505, 5506, 5507, 5508, 5509,  
5510, 5511, 5512, 5513, 5514, 5515,  
5516, 5517, 5518, 5519, 5520, 5521,  
5522  
04/11/18 ADOPT: 118.1  
04/03/18 AMEND: 51.26  
04/03/18 ADOPT: 51.30  
03/29/18 AMEND: 2021  
03/13/18 AMEND: 1045  
03/07/18 AMEND: 115.1  
03/07/18 AMEND: 115.2  
03/07/18 AMEND: 115.3  
03/07/18 AMEND: 115.4  
03/07/18 AMEND: 115.5

**Title 12**

07/05/18 AMEND: 451, 452, 453, 454, 455

**Title 13**

07/23/18 ADOPT: 223.00, 223.02, 223.04, 223.06,  
223.08, 223.10, 223.12, 223.14, 223.16  
07/16/18 AMEND: 1151.1, 1152.4, 1152.4.1  
06/12/18 ADOPT: 1231.3 AMEND: 1212.5, 1218,  
1239, 1264  
05/30/18 ADOPT: 125.19 AMEND: 125.00,  
125.02 REPEAL: 127.06  
05/07/18 AMEND: 423.00  
04/26/18 AMEND: 1153  
04/18/18 AMEND: 1151.9.1  
03/12/18 AMEND: Appendix (Article 2.0)

**Title 14**

07/30/18 ADOPT: 798 AMEND: 791, 791.6,  
791.7, 792, 793, 794, 795, 796, 797  
07/30/18 ADOPT: 820.02  
07/30/18 ADOPT: 817.04 AMEND: 790  
07/30/18 AMEND: 819, 819.01, 819.02, 819.03,  
819.04, 819.05, 819.06, 819.07  
07/19/18 AMEND: 3805.1  
07/05/18 AMEND: 1038  
07/02/18 AMEND: 916.9, 936.9, 956.9  
06/28/18 ADOPT: 1726, 1726.1, 1726.2, 1726.3,  
1726.3.1, 1726.4, 1726.4.1, 1726.4.2,  
1726.4.3, 1726.5, 1726.6, 1726.6.1,  
1726.7, 1726.8, 1726.9, 1726.10  
REPEAL: 1724.9  
06/28/18 AMEND: 18660.25, 18660.34  
06/28/18 AMEND: 502  
06/25/18 AMEND: 7.50  
06/07/18 AMEND: 1760, 1774, 1774.1, 1774.2  
05/24/18 ADOPT: 3803.1, 3803.2, 3803.3  
AMEND: 3802, 3803  
05/16/18 AMEND: 131  
05/10/18 ADOPT: 29.11  
05/09/18 AMEND: 18660.5, 18660.10, 18660.21,  
18660.34  
05/01/18 ADOPT: 650 AMEND: 703 REPEAL:  
650  
04/24/18 AMEND: 131  
04/19/18 AMEND: 4800  
04/02/18 AMEND: 265  
04/02/18 ADOPT: 749.9  
03/29/18 AMEND: 29.15  
03/27/18 AMEND: 1038, 1299.03, 1666.0

**Title 15**

08/06/18 ADOPT: 3999.98, 3999.99, 3999.320  
AMEND: 3355, 3087 renumbered as  
3999.225, 3087.1 renumbered as  
3999.226, 3087.2 renumbered as  
3999.227, 3087.3 renumbered as  
3999.228, 3087.4 renumbered as  
3999.229, 3087.5 renumbered as

3999.230, 3087.6	renumbered as	5029, 5030, 5031, 5032, 5033, 5034,	
3999.231, 3087.7	renumbered as	5035, 5036, 5037, 5038, 5039, 5040,	
3999.232, 3087.8	renumbered as	5041, 5042, 5043, 5044, 5045, 5046,	
3999.233, 3087.9	renumbered as	5047, 5048, 5049, 5050, 5051, 5052,	
3999.234, 3087.10	renumbered as	5053, 5054, 5055, 5300, 5301, 5302,	
3999.235, 3087.11	renumbered as	5303, 5304, 5305, 5306, 5307, 5308,	
3999.236, 3087.12	renumbered as	5309, 5310, 5311, 5312, 5313, 5314,	
3999.237, 3350	renumbered as	5315, 5400, 5401, 5402, 5403, 5404,	
3999.200(a), 3350.1	renumbered as	5405, 5406, 5407, 5408, 5409, 5410,	
3999.200(b), (c), and (d), 3350.2	renumbered as 3999.200(f), (g), and (h),	5411, 5412, 5413, 5414, 5415, 5416,	
3351	renumbered as 3999.210, 3353	5417, 5418, 5419, 5420, 5421, 5422,	
renumbered as 3999.202, 3353.1	renumbered as 3999.203, 3354.2	5423, 5424, 5425, 5426, 5500, 5501,	
renumbered as 3999.206, 3356	renumbered as 3999.410, 3357	5502, 5503, 5504, 5505, 5506, 5600,	
renumbered as 3999.440, 3358	renumbered as 3999.375, 3359	5601, 5602, 5603, 5700, 5701, 5702,	
renumbered as 3999.411, 3359.8	renumbered as 3999.200(e)	5703, 5704, 5705, 5706, 5707, 5708,	
08/01/18	AMEND: 3350, 3350.1	5709, 5710, 5711, 5712, 5713, 5714,	
06/28/18	AMEND: 3043.3	5715, 5716, 5717, 5718, 5719, 5720,	
06/14/18	AMEND: 3000, 3075.1, 3075.2, 3075.3, 3521.1, 3521.2, 3720, 3763 REPEAL: 3800, 3800.1, 3800.2, 3800.3	5721, 5722, 5723, 5724, 5725, 5726,	
06/13/18	ADOPT: 3087, 3087.1, 3087.2, 3087.3, 3087.4, 3087.5, 3087.6, 3087.7, 3087.8, 3087.9, 3087.10, 3087.11, 3087.12	5727, 5728, 5729, 5730, 5731, 5732,	
06/07/18	ADOPT: 3371.1 AMEND: 3043.7, 3044 REPEAL: 3371.1	5733, 5734, 5735, 5736, 5737, 5738,	
05/15/18	AMEND: 3000, 3030, 3190, 3269	5739, 5800, 5801, 5802, 5803, 5804,	
05/01/18	ADOPT: 2449.1, 2449.2, 2449.3, 2449.4, 2449.5, 2449.6, 2449.7, 3043.1, 3043.2, 3043.3, 3043.4, 3043.5, 3043.6, 3490, 3491, 3492, 3493 AMEND: 3043, 3043.5 (renumbered to 3043.7), 3043.6 (renumbered to 3043.8), and 3044 REPEAL: 2449.2, 2449.3, 2449.5, 3042, 3043.1, 3043.2, 3043.3, 3043.4, 3043.7	5805, 5806, 5807, 5808, 5809, 5810,	
04/17/18	ADOPT: 2240 REPEAL: 2240	5811, 5812, 5813, 5814	
04/09/18	AMEND: 3016, 3315	05/15/18	AMEND: 1399.395
<b>Title 16</b>		04/20/18	AMEND: 1749
08/08/18	REPEAL: 1399.531, 1399.532	03/19/18	AMEND: 4422
08/02/18	AMEND: 3340.17, 3340.41, 3340.45	03/14/18	AMEND: 1805.1, 1811
08/01/18	AMEND: 2070, 2071	<b>Title 17</b>	
06/18/18	AMEND: 1735.2	07/24/18	AMEND: 100000
06/14/18	REPEAL: 1399.620, 1399.621, 1399.622, 1399.623	07/19/18	AMEND: 30305
06/07/18	AMEND: 321, 364	07/19/18	AMEND: 6508
06/04/18	ADOPT: 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015, 5016, 5017, 5018, 5019, 5020, 5021, 5022, 5023, 5024, 5025, 5026, 5027, 5028,	05/30/18	AMEND: 95835, 95911
		05/23/18	ADOPT: 51101, 51102, 51103, 51104, 51105, 51106
		05/07/18	ADOPT: 98201, 98202, 98203
		04/20/18	AMEND: 6000, 6025, 6035, 6040, 6045, 6050, 6051, 6055, 6060, 6065, 6070, 6075 REPEAL: 6015, 6020
		04/13/18	ADOPT: 40127, 40132, 40190, 40191, 40192, 40194, 40196
		03/15/18	AMEND: 30145, 30145.1, 30205, 30231, 30275, 30278.1, 30309, 30310, 30311, 30314, 30336.8, 30408, 30409, 30456.8, 30535
		<b>Title 18</b>	
		07/02/18	AMEND: 283
		06/18/18	AMEND: 51
		05/08/18	ADOPT: 30100, 30101, 30102, 30201, 30202, 30203, 30204, 30205, 30301, 30302, 30303, 30304, 30305, 30401, 30402, 30403, 30501, 30502, 30601, 30602, 30603, 30604, 30605, 30606, 30701, 30702, 30703, 30704, 30705, 30707, 30708, 30709, 30710, 30711,

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30805, 30806, 30807, 30808, 30809,  
30810, 30811, 30812, 30813, 30814,  
30815, 30816, 30817, 30818, 30819,  
30820, 30821, 30822, 30823, 30824,  
30825, 30826, 30827, 30828, 30829,  
30830, 30831, 30832

03/19/18 ADOPT: 35001, 35002, 35003, 35004,  
35005, 35006, 35007, 35008, 35009,  
35010, 35011, 35012, 35013, 35014,  
35015, 35016, 35017, 35018, 35019,  
35020, 35021, 35022, 35023, 35024,  
35025, 35026, 35027, 35028, 35029,  
35030, 35031, 35032, 35033, 35034,  
35035, 35036, 35037, 35038, 35039,  
35040, 35041, 35042, 35043, 35044,  
35045, 35046, 35047, 35048, 35049,  
35050, 35051, 35052, 35053, 35054,  
35055, 35056, 35057, 35058, 35059,  
35060, 35061, 35062, 35063, 35064,  
35065, 35066, 35067, 35101 AMEND:  
1032, 1124.1, 1249, 1336, 1422.1,  
1705.1, 2251, 2303.1, 2433, 3022,  
3302.1, 3502.1, 4106, 4703, 4903, 5200,  
5202, 5210, 5211, 5212, 5212.5, 5213,  
5214, 5216, 5217, 5218, 5219, 5220,  
5220.4, 5220.6, 5221, 5222, 5222.4,  
5222.6, 5223, 5224, 5225, 5226, 5227,  
5228, 5229, 5230, 5231, 5231.5, 5232,  
5233, 5234, 5234.5, 5235, 5236, 5237,  
5238, 5240, 5241, 5242, 5244, 5245,  
5246, 5247, 5248, 5249, 5249.4, 5249.6,  
5260, 5261, 5262, 5263, 5264, 5265,  
5266, 5267, 5268, 5310, 5311, 5312,  
5331, 5335, 5335.4, 5335.6, 5336,  
5336.5, 5337, 5337.4, 5337.6, 5338,  
5338.4, 5338.6, 5700 REPEAL: 1807,  
1828, 4508, 4609, 4700, 4701, 4702,  
5201, 5210.5, 5215, 5215.4, 5215.6,  
5232.4, 5232.8, 5239, 5243, 5250, 5255,  
5256, 5333, 5333.4, 5333.6

**Title 20**  
07/19/18 AMEND: 1602, 1604, 1605.3, 1606,  
1607  
05/29/18 ADOPT: 1314, 1353 AMEND: 1302,  
1304, 1306, 1308, 1344, 2505

**Title 21**  
05/15/18 AMEND: 1575

**Title 22**  
08/07/18 ADOPT: 60301.120, 60301.850.5,  
60301.851, 60301.852, 60301.853,  
60320.300, 60320.301, 60320.302,  
60320.304, 60320.306, 60320.308,  
60320.312, 60320.320, 60320.322,  
60320.326, 60320.328, 60320.330,  
64668.05, 64668.10, 64668.20, 64668.30  
AMEND: 60301.450  
07/25/18 REPEAL: 98300, 98301, 98302, 98303,  
98304, 98305, 98306, 98310, 98311,  
98312, 98313, 98314, 98320, 98321,  
98322, 98323, 98324, 98325, 98326,  
98340, 98341, 98342, 98343, 98344,  
98345, 98346, 98347, 98348, 98349,  
98360, 98361, 98362, 98363, 98364,  
98365, 98366, 98370, 98380, 98381,  
98382, 98400, 98410, 98411, 98412,  
98413  
07/05/18 AMEND: 66272.62  
06/29/18 ADOPT: 72329.2  
06/20/18 AMEND: 97174, 97177.25  
06/20/18 ADOPT: 130000, 130001, 130003,  
130004, 130006, 130007, 130008,  
130009, 130020, 130021, 130022,  
130023, 130024, 130025, 130026,  
130027, 130028, 130030, 130040,  
130041, 130042, 130043, 130044,  
130045, 130048, 130050, 130051,  
130052, 130053, 130054, 130055,  
130056, 130057, 130058, 130062,  
130063, 130064, 130065, 130066,  
130067, 130068, 130070, 130071,  
130080, 130081, 130082, 130083,  
130084, 130090, 130091, 130092,  
130093, 130094, 130095, 130100,  
130110, 130200, 130201, 130202,  
130203, 130210, 130211  
05/09/18 AMEND: 97212, 97240, 97241, 97246,  
97249  
04/26/18 ADOPT: 69511.2 AMEND: 69511  
04/12/18 AMEND: 7000  
04/10/18 AMEND: 20000

**Title 22, MPP**  
07/12/18 AMEND: 87211  
05/09/18 AMEND: 35015, 35017, 35019  
04/11/18 AMEND: 101215.1, 101216.1, 101416.2  
03/13/18 ADOPT: 85100, 85101, 85118, 85120,  
85122, 85140, 85142, 85164, 85165,  
85168.1, 85168.2, 85168.4, 85170,  
85187, 85190

**Title 23**  
07/12/18 ADOPT: 335, 335.2, 335.4, 335.6, 335.8,  
335.10, 335.12, 335.14, 335.16, 335.18  
07/02/18 ADOPT: 3979.9  
06/28/18 ADOPT: 3929.16  
06/19/18 ADOPT: 3939.54  
06/11/18 AMEND: 2924  
05/24/18 AMEND: 3946, 3949.13, 3949.14  
05/03/18 ADOPT: 2910.1 REPEAL: 2910.1

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04/19/18	ADOPT: 3949.14	15200, 15210, 15240, 15241, 15242,
04/16/18	ADOPT: 335, 335.2, 335.4, 335.6, 335.8, 335.10, 335.12, 335.14, 335.16, 335.18, 335.20	15250, 15260, 15280, 15290, 15320, 15330, Appendix A, Appendix B, Appendix C
03/29/18	AMEND: 595	06/07/18 AMEND: 27001
03/26/18	AMEND: 315, 316	05/09/18 AMEND: 25705
03/08/18	ADOPT: 3909.6	04/06/18 AMEND: 25705
<b>Title 25</b>		<b>Title MPP</b>
06/04/18	ADOPT: 6932 REPEAL: 6932	06/26/18 AMEND: 41-440, 42-711, 42-716, 42-717, 44-207
<b>Title 27</b>		06/25/18 AMEND: 44-316, 44-350
08/02/18	ADOPT: 25501.1	06/12/18 AMEND: 22-001, 22-003, 22-004, 22-009, 22-045, 22-050, 22-051, 22-054, 22-062, 22-065, 22-069, 22-071, 22-072, 22-073, 22-085
07/17/18	AMEND: 25805	
06/14/18	AMEND: 15100, 15110, 15120, 15130, 15150, 15160, 15170, 15180, 15185, 15186, 15186.1, 15187, 15188, 15190,	

