



# California Regulatory Notice Register

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

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**PROPOSED ACTION ON REGULATIONS**

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**TITLE 2. CALIFORNIA COMPLETE COUNT — CENSUS 2020**

NOTICE OF INTENTION TO ADOPT THE CONFLICT-OF-INTEREST CODE OF THE CALIFORNIA COMPLETE COUNT — CENSUS 2020

NOTICE IS HEREBY GIVEN that the California Complete Count — Census 2020, pursuant to the authority vested in it by section 87306 of the Government Code, proposes adoption of its conflict-of-interest code. A comment period has been established commencing on November 9, 2018 and closing on December 24, 2018. All inquiries should be directed to the contact listed below.

The California Complete Count — Census 2020 proposes to adopt a conflict-of-interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The adoption carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the conflict-of-interest code include: Adoption of a Conflict-of-Interest Code.

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

Any interested person may submit written comments relating to the proposed Conflict-of-Interest Code by submitting them no later than December 24, 2018, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than December 10, 2018.

The California Complete Count — Census 2020 has determined that adoption of the proposed Conflict-of-Interest Code:

1. Imposes no mandate on local agencies or school districts.
2. Imposes no costs or savings on any state agency.

3. Imposes no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed code adoption and any communication required by this notice should be directed to: Kristine Beckley, California Complete Count — Census 2020 Legal Counsel, (916) 612-6590, [kristine.beckley@census.ca.gov](mailto:kristine.beckley@census.ca.gov).

**TITLE 2. FAIR POLITICAL PRACTICES COMMISSION**

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

STATE AGENCY:	California Complete Count — Census 2020
MULTI-COUNTY:	Western Municipal Water District

A written comment period has been established commencing on November 9, 2018, and closing on December 24, 2018. Written comments should be directed to the Fair Political Practices Commission, Attention Brianne Kilbane, 1102 Q Street, Suite 3000, Sacramento, California 95811.

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

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

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

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than December 24, 2018. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

#### COST TO LOCAL AGENCIES

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

#### EFFECT ON HOUSING COSTS AND BUSINESSES

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

#### AUTHORITY

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

#### REFERENCE

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

#### CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Brianne Kilbane, Fair Political Practices Commission, 1102 Q Street,

Suite 3000, Sacramento, California 95811, telephone (916) 322-5660.

#### AVAILABILITY OF PROPOSED CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Brianne Kilbane, Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811, telephone (916) 322-5660.

### TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

The Department of Food and Agriculture proposes to adopt Section 4900 in the regulations in Title 3 of the California Code of Regulations pertaining to Industrial Hemp Cultivation Registration Fees.

#### PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

#### WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed regulation to the Department. Comments may be submitted by mail, FAX or email. The written comment period closes at 5:00 p.m. on December 24, 2018. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Dean Kelch  
Department of Food and Agriculture  
Plant Health and Pest Prevention Services  
1220 N Street  
Sacramento, CA 95814  
[Dean.Kelch@cdfa.ca.gov](mailto:Dean.Kelch@cdfa.ca.gov)  
916.403.6650  
916.651.2900 (FAX)

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

INFORMATIVE DIGEST/PLAIN  
ENGLISH OVERVIEW

Existing law requires the Secretary to establish fees for registration for growers of industrial hemp for commercial purposes and seed breeders (Section 81005, Food and Agricultural Code (FAC)).

The proposed adoption of Section 4900 pertaining to registration for growers of industrial hemp for commercial purposes and seed breeders will establish annual registration and registration renewal fees as required in statute amended by SB 1409, effective January 1, 2019.

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

ANTICIPATED BENEFITS FROM THIS  
REGULATORY ACTION

Establishment of a registration fee will allow commercial cultivation of industrial hemp to begin in California and allow the growth of the industrial hemp industry in California. The *Hemp Business Journal* estimated industrial hemp-based product sales in the United States are increasing and the United States has seen significant growth in acreage of industrial hemp cultivation: 9,770 acres of industrial hemp were grown in 2016; 25,713 acres were grown in 2017.

Currently, most hemp products processed and manufactured in the United States heavily rely on imported material, according to the Congressional Research Service. Without this regulation, California citizens are unable to participate in this emerging industry.

The proposed regulation also serves to provide the state and counties with funding to cover the actual costs of implementing, administering, and enforcing the provisions of FAC Division 24. It will help protect the public and the state's natural resources from illegal cultivation activities by providing resources to the county agricultural commissioner to provide regulatory oversight, ensuring that industrial hemp plantings meet statutory requirements.

ADOPTED TEXT

The adoption of this proposed regulation will establish registration and renewal fees to be charged by the

county agricultural commissioner for industrial hemp cultivation as required in statute.

The proposed annual registration fee is \$900 per applicant for each county in which the applicant intends to cultivate industrial hemp as a commercial grower or seed breeder. The registration fee shall be submitted along with the registration application to the commissioner. Registration will be valid for one year from the date of issuance by the commissioner.

The proposed fee for renewal of an annual registration is \$900 per registrant for each county in which the applicant intends to continue to cultivate industrial hemp as a commercial grower or seed breeder. Renewals not paid in full within 30 days after expiration of registration will result in forfeiture of registration. Restoration of forfeited registration will require payment of any unpaid fees and a penalty of 15% of the unpaid fee amount. The commissioner may waive the penalty upon receiving a signed statement from the registrant that he/she did not cultivate industrial hemp during the period in which the registration was expired unless there is substantial evidence otherwise. Renewed registration will be valid for one year from the date of issuance by the commissioner.

DISCLOSURES REGARDING THE  
PROPOSED ACTION

*The Department has made the following initial determinations:*

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500 through 17630: None.

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

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

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

Cost impacts on a representative private person or business: This regulation will require the payment of registration fees by industrial hemp growers and seed breeders, as required in statute. The direct cost that a registered grower or seed breeder will necessarily incur in reasonable compliance with the registration requirement is \$900.00 a year. The cost to register as a grower or seed breeder is reasonable and would likely be offset by revenue collected by the grower or seed breeder over the registration period of one year.

Small Business Determination: The proposed regulation may affect small business.

Significant effect on housing costs: None.

ASSESSMENT

The Department has made an assessment that the proposed regulation would not likely eliminate jobs or existing businesses within California. The Department has made an assessment that the proposed regulation would likely promote the creation of new jobs and businesses, and affect the expansion of businesses currently doing business within California.

The proposed regulation will establish a registration and renewal fee in order for prospective growers and/or seed breeders of industrial hemp to begin cultivation. The proposed regulation will help protect the public and the state's natural resources by allowing the Program to collect funds to fully administer a statewide registration program as well as provide oversight, training, and assistance to the county inspectors regarding regulatory enforcement activities, ensuring consistent implementation and enforcement of statutory requirements for industrial hemp cultivation throughout the state.

By discouraging illegal hemp cultivation and the related dangers that affect workers and the neighboring public from such unlawful activities, this proposed regulation will help protect the public safety of California residents or worker safety. Based upon the economic analysis, the Department believes this proposed regulation benefits the general welfare of California residents (GC Section 11346.3(b)).

ALTERNATIVES CONSIDERED

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

The Department considered taking no action. If no action is taken, registration for the cultivation of industrial hemp would not be available, and this would encourage illegal cultivation of this in-demand crop. The Department and counties will not have the resources for regulatory enforcement activities to address illegal cultivation.

AUTHORITY

The Department proposes to adopt Section 4900 pursuant to the authority vested by Sections 407, 483, and 81005 of the Food and Agricultural Code of California.

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 81003, 81004, and 81005 of the Food and Agricultural Code.

CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed is:

Dean Kelch  
Department of Food and Agriculture  
Plant Health and Pest Prevention Services  
1220 N Street  
Sacramento, CA 95814  
[Dean.Kelch@cdfa.ca.gov](mailto:Dean.Kelch@cdfa.ca.gov)  
916.403.6650  
916.651.2900 (FAX)

In his absence, you may contact Rachel Avila at (916) 403-6813. Questions regarding the substance of the proposed regulation should be directed to Rachel Avila.

INTERNET ACCESS

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

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

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

**TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE**

The Department of Food and Agriculture amended subsection 3591.2 of the regulations in Title 3 of the

California Code of Regulations pertaining the Oriental Fruit Fly Eradication Area as an emergency action that was effective on July 19, 2018. The Department proposes to continue the regulation as amended and to complete the amendment process by submission of a Certificate of Compliance no later than January 15, 2019.

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

### PUBLIC HEARING

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

### WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed amendment to the Department. Comments may be submitted by mail, facsimile (FAX) at 916.651.2900 or by email to [Dean.Kelch@cdfa.ca.gov](mailto:Dean.Kelch@cdfa.ca.gov). The written comment period closes at 5:00 p.m. on December 24, 2018. The Department will consider only comments received at the Department offices by that time. Submit comments to:

Dean Kelch  
 Department of Food and Agriculture  
 Plant Health and Pest Prevention Services  
 1220 N Street  
 Sacramento, CA 95814  
[Dean.Kelch@cdfa.ca.gov](mailto:Dean.Kelch@cdfa.ca.gov)  
 916.406.6650  
 916.651.2900 (FAX)

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

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

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

### Anticipated Benefits From This Regulatory Action

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

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

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

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

Existing law, CCR Section 3591.2, defines the state's eradication areas for Oriental fruit fly.

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

This regulation will benefit the public's general welfare by providing authority for the State to perform detection, control, and eradication activities against Oriental fruit fly in Santa Cruz County.

The implementation of this regulation will prevent:

- direct damage to the agricultural industry growing host fruits.
- indirect damage to the agricultural industry growing host fruits due to the implementation of quarantines by other countries and loss of export markets.
- increased production costs to the affected agricultural industries.
- increased pesticide use by the affected agricultural industries.
- increased costs to the consumers of host fruits.

- increased pesticide use by homeowners and others.
- the need to implement a State interior quarantine.
- the need to implement a federal domestic quarantine.

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

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

#### AMENDED TEXT

This emergency rulemaking action added Santa Cruz County to the Oriental Fruit Fly Eradication Area. The effect of the amendment of this regulation is to provide authority for the State to perform eradication activities against the Oriental fruit fly in the county of Santa Cruz.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

*The Department has made the following initial determinations:*

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None, and no nondiscretionary costs or savings to local agencies or school districts.

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

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

Cost impacts on a representative private person or business: 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.

#### Small Business Determination

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

Significant effect on housing costs: None.

#### Results of the Economic Impact Analysis

Amendment of these regulations will not:

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

The Department has determined the amendment of this regulation would benefit:

- the general public
- homeowners and community gardens
- agricultural industry
- the State's general fund

There are no known specific benefits to worker safety or the health of California residents.

#### ALTERNATIVES CONSIDERED

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

#### AUTHORITY

The Department proposes to amend section 3591.2 pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code.

#### REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 407, 5322, 5761, 5762 and 5763 of the Food and Agricultural Code.

#### CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed actions, location of the rulemaking files, and request for a public hearing may be directed is: Dean Kelch, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room 210, Sacramento, California 95814, (916) 403-6650, FAX (916) 651-2900, E-mail: [Dean.Kelch@cdfa.ca.gov](mailto:Dean.Kelch@cdfa.ca.gov). In his absence, you may contact Laura Petro at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Dean Kelch.



INTERNET ACCESS

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

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

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

If the regulations adopted by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption.

Any interested person may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

**TITLE 17. DEPARTMENT OF PUBLIC HEALTH**

**DPH-10-007 HEALTH & THERAPEUTIC MEDICAL PHYSICIST AUTHORIZATION**

PUBLIC PROCEEDINGS

The California Department of Public Health (Department) is conducting a 45-day written public proceeding during which time any interested person or such person's duly authorized representative may present statements, arguments or contentions (all of which are hereinafter referred to as comments) relevant to the action described in the Informative Digest/Policy Statement overview section of this notice.

PUBLIC HEARING

The Department has not scheduled a public hearing on this proposed action. However, the Department will hold a hearing if it receives a written request for a public hearing 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.

WRITTEN COMMENT PERIOD

Any written comments pertaining to these regulations, regardless of the method of transmittal, must be received by the Office of Regulations by 5:00 p.m. on December 24, 2018, which is hereby designated as the close of the written comment period. Comments received after this date will not be considered timely. Persons wishing to use the California Relay Service may do so at no cost by dialing 711.

Written comments may be submitted as follows:

1. By email: [regulations@cdph.ca.gov](mailto:regulations@cdph.ca.gov). It is requested that email transmission of comments, particularly those with attachments, contain the regulation package identifier **"DPH-110-007 Health and Therapeutic Medical Physicist Authorization"** in the subject line to facilitate timely identification and review of the comment;
2. By fax transmission: (916) 636-6220;
3. By Postal Service: California Department of Public Health, Office of Regulations, 1415 L Street, Suite 500, Sacramento, CA 95814;
4. Hand-delivered: California Department of Public Health, Office of Regulations, 1415 L Street, Suite 500, Sacramento, CA 95814.

AUTHORITY AND REFERENCE

The Department is proposing to adopt, amend, or repeal, as applicable, the regulations identified below under the authority provided in sections 114975, 114980, 115000, 115060, 115080 and 131200 of the Health and Safety Code (H&S Code). This proposal implements, interprets and makes specific sections 114965, 114970, 115000, 115060, 115080, 131050, 131051 and 131052 of the H&S Code.

SUMMARY OF THE PROPOSAL

This proposal would establish the qualification, authorization and renewal processes, including new application and renewal fees and continuing education requirements, for individuals who perform therapeutic X-ray system output calibrations and radiation protection surveys of therapeutic X-ray installations. It establishes the processes for previously authorized individuals to remain authorized and identifies the standards for limiting, revoking or suspending the authorizations. This proposal also establishes who may perform patient radiation dose rate measurements on fluoroscopic X-ray equipment. Definitions are added for clarifying terms used in the proposed regulations.

Nonsubstantial changes are also proposed.

INFORMATIVE DIGEST/POLICY  
STATEMENT OVERVIEW

*Problem Statement:* Existing regulations state that only Department–approved individuals may perform therapeutic X–ray system output calibrations and radiation protection surveys of therapeutic X–ray installations, and that radiation dose rate measurements must be performed on fluoroscopic X–ray equipment. However, the regulations fail to specify the qualifications and processes for authorizing those individuals, and fail to identify the qualifications of individuals making radiation dose rate measurements on fluoroscopic X–ray equipment. The lack of specificity in the regulation hampers its efficacy and ability to ensure the competency of personnel whose responsibilities include ensuring patient safety.

*Objectives:* Broad objectives of this proposed regulatory action are to:

- Ensure individuals verifying that therapeutic X–ray equipment can safely, accurately and effectively irradiate cancerous tissue during human radiation therapy are qualified and competent.
- Provide well–defined procedures that allow an individual to obtain and maintain authorization to perform specific tasks related to fluoroscopic and therapeutic X–ray equipment.
- Specify the tasks that must be performed by or under a given level of supervision from authorized individuals.
- Specify actions by authorized individuals that may result in the Department revoking, suspending or limiting authorization.
- Ensure authorized individuals are aware of technological changes and maintain competency.
- Assure the long–term sustainability and enforcement of the standards created through the implementation of fees.

*Benefits:* Anticipated benefits, including nonmonetary benefits, from this proposed regulatory action are:

- Provide for continued protection of public health and safety, and worker safety, as established by the Legislature in H&S Code sections 114970 and 115000.<sup>1</sup>
- Ensure that individuals are adequately trained and experienced to safely and competently perform

tasks related to fluoroscopic and therapeutic X–ray equipment, thereby reducing unnecessary radiation exposure to the public during X–ray procedures.

- Specify the application and renewal processes and requirements that allow individuals to obtain and maintain authorization.
- Ensure that individuals are aware of technological advances impacting physics services for patient safety.
- Streamline the existing process to approve individuals to perform certain tasks regarding use of therapeutic X–ray equipment.
- Maintain an orderly regulatory pattern within the State and among the states pursuant to H&S Code section 114965.

*Evaluation as to whether the proposed regulations are inconsistent or incompatible with existing state regulations:* The Department evaluated this proposal and determined that, if adopted, it will not be inconsistent or incompatible with existing state regulations. This evaluation included a review of the Department’s existing general regulations and those regulations specific to implementation of the RCL. Some inconsistencies in those specific regulations were found, and are addressed in this proposal. An Internet search of other state agency regulations was also performed. It was determined that no other California state agency regulations address the same subject matter.

PROGRAM BACKGROUND

X–ray machines emit radiation. Radiation is used for healthcare purposes to diagnose injuries and diseases, including cancer. Radiation is also used to kill cancerous tissue or to slow its growth. Such treatment is called radiation therapy and is conducted in facilities such as hospitals and cancer centers. The facility (i.e. the possessor of the radiation machine, called a “registrant”) is responsible for complying with applicable laws and regulations.

Because X–ray machines emit radiation, the installation, or room in which the machine is housed, must be shielded to block the radiation from penetrating walls or surfaces. Radiation surveys are performed to ensure the shielding is sufficient so that the public, patients and workers are protected from unnecessary radiation exposure. The maintenance required to ensure these X–ray machines operate properly includes calibrations. Calibrations are quality assurance tests, measurements and calculations taken to establish how closely a machine’s settings meet the operating criteria established by the manufacturer. X–ray machines used for healthcare purposes require surveys and calibrations to

<sup>1</sup> This short format “H&S Code section 114970” for a given Health and Safety Code section will be used throughout this document for brevity. For example, “H&S Code section 114970” means California Health and Safety Code section 114970.

minimize radiation hazards, to prevent harm to the public, workers or patients, and to ensure the equipment accurately delivers the intended radiation dose to cancerous tissue as prescribed by a physician.

Registrants who wish to install or who already operate therapeutic X-ray machines may only allow certain Department-approved individuals to perform radiation protection surveys of the installations and calibrations of therapeutic X-ray machines. However, existing regulations fail to specify how this approval process is performed and what qualifications a person must meet for approval. Thus, individuals are approved on a case-by-case basis resulting in time-consuming processes and issuance of authorizations based on inconsistent and subjective criteria. Further, the cost of this process is not recovered through applicant fees resulting in diverting staff to perform this work. This impacts work efficiencies in other program areas. This subjective process fails to ensure individuals maintain knowledge of current and new technological changes in therapeutic equipment designs, radiation dose modeling, and radiation-related physics. The use of subjective criteria, the inability to ensure individuals remain competent, and insufficient funding of this approval process, hampers the regulation's efficacy and ability to ensure the competency of personnel whose responsibilities include ensuring patient safety.

Also, registrants are required to make radiation dose rate measurements on fluoroscopic X-ray equipment, which is used for verifying the equipment continues to function consistently over time. However, existing regulations fail to identify the qualifications of individuals making those measurements. This proposal would require registrants to ensure that the individual who performs those measurements meets specific qualifications.

The use of X-ray machines for both diagnostic and therapeutic purposes is conducted both nationally and internationally. The Legislature established the State policy of being consistent, insofar as possible, with other states and the federal government so as to minimize duplication of regulation. (H&S Code sections 114965(c) & 114970(b).) In developing this proposal, the Department reviewed other states' requirements pertaining to who may perform calibrations of therapeutic X-ray systems and installation surveys for radiation protection, and who may make dose rate measurements on fluoroscopic X-ray equipment.

Under this proposal, the process to obtain and renew authorization is formalized resulting in two pathways for approval and a process for renewal. One pathway for approval requires the individual to hold certification from an approved organization and may require specific work experience. The other pathway requires the individual to have completed a specific combination of

education, training and work experience. All training and work experience used to qualify for approval must have been conducted in clinical therapeutic radiation facilities. An applicant following either pathway is required to provide three sample reports of work performed in the category for which the applicant is requesting approval.

The Department reviews the information provided by an applicant to verify that the applicant has completed the required education, training, work experience or holds the applicable certification. Sample reports received from the applicant are also reviewed by the Department before the application is approved or denied.

Broadly, this proposal would establish an oversight structure, as it relates to radiation measurements of radiation machines and installations used in the healing arts, as follows:

- Diagnostic medical physicist (DMP)
  - Must be facility-approved based on criteria specified in the definition of DMP.
  - May perform the tasks specified in section 30307(b) without supervision.
  - May perform tasks specified in section 30312(b)(4) and (b)(5) only under the specified supervision level.
  - Department inspectors verify qualifications during inspection.
- Health Physicist (HP)
  - Must be Department-authorized.
  - May perform the tasks specified in sections 30307(b) and 30312(b)(5) without supervision.
  - May perform tasks specified in section 30312(b)(4) only under the specified supervision level.
- Therapeutic Medical Physicist (TMP)
  - Must be Department-authorized.
  - May perform all tasks specified in sections 30307(b) and 30312(b) without supervision.

Although the Department currently refers to "approved" individuals, this proposal uses the term "authorized" to describe the same individuals. This change is needed for consistency with existing regulations and results in no regulatory effect.

EVALUATION AS TO WHETHER THE PROPOSED REGULATIONS ARE INCONSISTENT OR INCOMPATIBLE WITH EXISTING STATE REGULATIONS

The Department evaluated this proposal and determined that, if adopted, it will not be inconsistent or incompatible with existing state regulations. This evalua-

tion included a review of the Department's existing general regulations. An internet search of other state agency regulations determined that no other state regulation addresses the same subject matter.

**MANDATED BY FEDERAL LAW  
OR REGULATIONS**

Currently, there are no existing federal regulations or statutes applicable to the regulations.

**DOCUMENTS INCORPORATED  
BY REFERENCE**

None.

**OTHER STATUTORY REQUIREMENTS**

None.

**BUSINESS REPORTING REQUIREMENT**

The Department has determined that this proposed regulation would require businesses to submit a report, and that the report is necessary for the health, safety, and welfare of the people of this state.

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

The Department has made an initial determination that the proposed regulations would not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Thus, there will be no significant adverse economic impact on California businesses.

**LOCAL MANDATE**

The Department has determined that this regulatory action 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.

**EFFECT ON HOUSING**

The Department has determined that the regulations will have no impact on housing costs.

**EFFECT ON SMALL BUSINESS**

The Department has determined that there would be an effect on small businesses, because they will be legally required to comply with the regulation, and may incur a detriment from the enforcement of the regulation.

**FISCAL IMPACT ASSESSMENT**

**A. FISCAL IMPACT ON LOCAL GOVERNMENT:** There will be an impact as described in item B.1 below.

**B. FISCAL IMPACT ON STATE GOVERNMENT:**

1. State agencies that hire health physicists (HPs) and therapeutic medical physicists (TMPs) and pay for authorizations and renewals would be subject to the proposal. However, such payment is within the agencies' discretion. The proposed application fee is \$312 for HP or TMP authorization. The renewal fee is \$267 payable every three years. Costs for continuing education (CE) credits widely range from \$5 to \$250 per credit. For 15 CEs every three years, the cost ranges from \$75 to \$3,750.

2. The proposed application fee is \$312 and the renewal fee is \$267 payable every three years. Since the renewal fee of \$267 is for a period of three years, the annualized renewal fee is \$89 (\$267 divided by three). The applicant pool cannot be accurately estimated because it is unknown how many individuals will apply for authorization. The Department has previously approved 511 individuals. Therefore, 511 renewal applicants are assumed for the purpose of this estimate.

The Radiation Control Fund would receive an estimated one-time increase of \$136,437 (\$267 times 511) due to renewal fees, if all 511 previously approved individuals renew their authorization the first year, and \$45,479 (\$136,437 divided by three) annually thereafter.

**C. FISCAL IMPACTS ON FEDERAL FUNDING OF STATE PROGRAMS:** None.

**D. COST IMPACT ON REPRESENTATIVE PERSONS OR BUSINESSES DIRECTLY AFFECTED:** There will be a fiscal impact on private persons who wish to obtain the authorization. The cost for the one-time

application fee is \$312. The renewal fee is \$267 payable every three years. The cost of complying with the CE requirement ranges widely from \$5 to \$250 per credit. For 15 CEs every three years, the cost ranges from \$75 to \$3,750.

- E. **MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS:** None.
- F. **OTHER NON-DISCRETIONARY COSTS:** None.

RESULTS OF THE ECONOMIC  
IMPACT ANALYSIS

The Department has determined that the proposed regulatory action would have no significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

The Department analyzed whether and to what extent this proposal affects the following:

1. **The creation or elimination of jobs within the State of California.** This proposal is not likely to eliminate jobs since this approval process only clarifies an existing process, and may create new jobs but creation of new jobs is not likely to be significant because this proposal only develops processes for an HP and TMP to become authorized, and applies to a limited pool of individuals.
2. **The creation of new businesses or the elimination of existing businesses within the State of California.** This proposal is not likely to eliminate existing businesses but may create new businesses to provide authorized individuals required continuing education (CE) courses. Creation is not expected to be significant due to the small pool of individuals needing to obtain CE and that existing CE courses are widely available.
3. **The expansion of businesses currently doing business within the State of California.** Existing CE providers may see business expansion from those required to obtain CE to renew authorization. Expansion is expected to not be significant due to the small pool of individuals needing to obtain CE and that existing CE courses are widely available.
4. **The benefits of the regulation to the health and welfare of California residents and increased worker safety.** This proposal significantly increases the benefits to the health and welfare of California residents and worker safety because it ensures that users of therapeutic X-ray equipment

can safely and competently keep a patient's radiation exposure to a minimum and protect operators, and other workers, from receiving unnecessary radiation exposure. This proposal would not affect the state's environment because the proposal would establish the qualifications an individual needs to have to perform therapeutic X-ray system output calibrations and does not impact X-ray machine standards.

CONSIDERATION OF ALTERNATIVES

The Department has determined 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, or would be as effective and less burdensome to affected private persons than the proposed regulatory action, or would be more cost-effective to affected private persons.

TECHNICAL, THEORETICAL, AND/OR  
EMPIRICAL STUDIES, REPORTS OR  
DOCUMENTS RELIED UPON

None.

CONTACT PERSON

Inquiries regarding the subject matter in this notice may be directed to Phillip Scott, Department's Radiologic Health Branch, (916) 440-7978.

Inquiries regarding the regulatory process described in this notice should be directed to Dawn Basciano, Office of Regulations, at (916) 440-7367, or to the designated backup contact person, Linda Cortez, (916) 440-7807.

AVAILABILITY OF STATEMENT OF REASONS  
AND TEXT OF REGULATIONS

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 order to request that a copy of this public notice, the regulation text, and the initial statement of reasons or alternate formats for these documents be mailed to you, please call (916) 558-1710 (or the California Relay Service at 711), send an email to [regulations@](mailto:regulations@)

[cdph.ca.gov](http://cdph.ca.gov), or write to the Office of Regulations at the address previously noted. Upon specific request, these documents will be made available in Braille, large print, audiocassette, or computer disk.

**AVAILABILITY OF CHANGED OR  
MODIFIED TEXT**

The full text of any regulation which is changed or modified from the express terms of the 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.

**FINAL STATEMENT OF REASONS**

A copy of the final statement of reasons (when prepared) will be available upon request from the Office of Regulations.

**INTERNET ACCESS**

Materials regarding the action described in this notice (including this public notice, the regulation text, and the initial statement of reasons) that are available via the Internet may be accessed at [www.cdph.ca.gov](http://www.cdph.ca.gov).

**TITLE 22. EMPLOYMENT  
DEVELOPMENT DEPARTMENT**

**NOTICE OF INTENTION TO AMEND THE  
CONFLICT-OF-INTEREST CODE OF THE  
EMPLOYMENT DEVELOPMENT DEPARTMENT**

NOTICE IS HEREBY GIVEN that the Employment Development Department, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its conflict-of-interest code. A comment period has been established commencing on November 9, 2018 and closing on December 24, 2018. All inquiries should be directed to the contact listed below.

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

Changes to the conflict-of-interest code include: streamlined list of positions required to file with the Fair Political Practices Commission rather than the general position title format as previously listed including the addition, removal, and modification of position titles, conversion of the disclosure categories from alpha to numeric format and other technical changes.

The proposed amendment and explanation of the reasons can be obtained from the agency's contact. Any interested person may submit written comments relating to the proposed amendment by submitting them no later than December 24, 2018, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than December 10, 2018.

The Employment Development Department has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: Stella M. Ulm, Attorney III, (916) 653-9246, [stella.ulm@edd.ca.gov](mailto:stella.ulm@edd.ca.gov).

**TITLE 22/MPP. DEPARTMENT OF  
SOCIAL SERVICES**

ORD #0915-11

**ITEM #1 In-Home Supportive Services Paramedical  
Regulations Requirement**

The California Department of Social Services (hereafter the Department) hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held on December 27, 2018, at the following address:

Office Building # 9  
744 P St., Room 202  
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only if attendees are presenting testi-

mony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the receipt of testimonies. The above-referenced facility is accessible to persons with disabilities. If you need a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on December 27, 2018.

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

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at CDSS Public Hearings for Proposed Regulations (<http://www.cdss.ca.gov/inforesources/Letters-Regulations/Legislation-and-Regulations/CDSS-Regulation-Changes-In-Process-and-Completed-Regulations/Public-Hearing-Information>). Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading at the address listed below. Following the public hearing, copies of the Final Statement of Reasons will also be available at the following address:

#### CONTACT

California Department of Social Services  
Office of Regulations Development  
744 P Street, MS 8-4-192  
Sacramento, CA 95814  
Tel: (916) 657-2856, Fax: (916) 654-3286  
Email: [ord@dss.ca.gov](mailto:ord@dss.ca.gov)

#### CHAPTERS

Chapter 30-700

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The regulations in this package pertain to amended Paramedical Regulations that cover a wide selection of areas including but not limited to: establishing a clear definition of a licensed health care professional for the purpose of ordering paramedical services (LHCP-PM); assigning an indicator of 6 for identifying one's level of functioning, which is used in the assessment process; and setting forth protocols and specifications to ensure the counties have a clear understanding of definitions and parameters of paramedical services governed by the Paramedical Regulations for the In-Home Supportive Services (IHSS) program.

Assembly Bill 1773, Chapter 939, Statutes of 1992, Section 2, which adopted Welfare and Institutions Code (WIC) section 12300.1, specifies that paramedical services are supportive services that are ordered by a licensed health care professional who is lawfully authorized to do so which persons could provide for themselves but for their functional limitations. Paramedical services include the administration of medications, puncturing the skin, or inserting a medical device into a body orifice, activities requiring sterile procedures, or other activities requiring judgment based on training given by a licensed health care professional. These necessary services shall be rendered by a provider under the direction of a licensed health care professional, subject to the informed consent of the recipient obtained as a part of the order for service. In order for paramedical services to be authorized in the IHSS program, IHSS recipients must have their licensed health care professional complete the Request for Order and Consent — Paramedical Services form (SOC 321), which requires that the licensed health care professional identify the paramedical services needs and indicate the time required to perform the paramedical service, the frequency for administering the service, and how long the IHSS recipient needs for the paramedical service to be provided. Additionally, the licensed health care professional must train the hired IHSS provider to properly administer these services for the IHSS recipient. IHSS recipients must also sign off on the SOC 321 with their consent to allow the specified paramedical services to be administered to them by the IHSS provider of their choice, which has undergone training to ensure proper administration. If appropriate, training may also be verified by reviewing the In-Home Supportive Services (IHSS) Provider Self-Certification of Completion of Training in the Provision of Paramedical Services (SOC 321A), which identifies the individual the LHCP-PM has trained in the specific paramedical tasks being ordered for the applicant/recipient.

These proposed regulations revise language in the Manual of Policies and Procedures (MPP), Division 30, sections 30-701 (Definitions), 30-756 (Need), and 30-757 (Program Service Categories and Time Guidelines). The revised regulations define a licensed health care professional for the purpose of ordering paramedical services (LHCP-PM) for signing the SOC 321, specify what services are deemed paramedical and which are not by providing examples in a handbook section, and provide policies and procedures for the timeframes relating to the paramedical service authorizations by requiring that paramedical services be authorized by an LHCP-PM within the timeframes specified in the Statewide Paramedical Service Time Authorization Guidelines, which are introduced in this package. The paramedical regulations also specify the authority the county has to authorize time other than what is indicated on the SOC 321 by the LHCP-PM. Finally, the proposed revised regulations also specify the conditions for which a new SOC 321 must be completed and services may be made retroactive. The conditions under which payment may be made retroactively for paramedical services rendered to an applicant/recipient, before the county received the completed SOC 321, are specified to benefit IHSS program participants since these services are necessary to maintain the individual's health and to remain safely in his/her own home.

Forms To Be Revised And Incorporated By Reference

This proposed rulemaking action incorporates by reference the Request for Order and Consent — Paramedical Services, SOC 321 (XX/20XX). This proposed rulemaking action also incorporates by reference Provider Self-Certification of Completion of Training in the Provision of Paramedical Services, SOC 321A (XX/20XX). The revision dates of both forms will be the effective date of the proposed regulations.

Anticipated Benefits of the Proposed Regulation

The benefits of the regulatory action to the health and welfare of California residents, worker safety, and the state's environment are as follows: Program stakeholders, including county agencies that administer the IHSS program, IHSS applicants/recipients, advocates for IHSS applicants/recipients, and others, will have a clear understanding of the most up-to-date rules relating to the authorization and provision of paramedical services within the IHSS program. Regulations relating to paramedical services were first promulgated in 1979, and they have not been updated since 1993. There are no additional benefits for worker safety or the state's environment, as the regulations only affect county agencies that administer the IHSS program, IHSS applicants/

recipients who have a need for paramedical services, and LHCP-PMs who may be asked by clients who are IHSS applicants/recipients to provide an order for paramedical services. Because these regulations apply only to individuals applying for or receiving IHSS, they do not impose any additional costs or fees on individuals, nor will they result in higher product prices or in diminished product choices or quality of goods and services produced in the private sector. There is no specific benefit to the health or welfare of the state's workers or its environment.

Determination of Inconsistency/Incompatibility with Existing Law

The Department has made an initial determination that these proposed regulations are neither inconsistent nor incompatible with existing State and federal statutes, court decisions, or other provisions of law. These are the only regulations that concern IHSS Paramedical Regulations for IHSS applicants.

COST ESTIMATE

1. Costs or Savings to State Agencies: None.
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance with Government Code Sections 17500-17630: None.
3. Nondiscretionary Costs or Savings to Local Agencies: None.
4. Federal Funding to State Agencies: None.

LOCAL MANDATE STATEMENT

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

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made based on the fact that the regulations only apply to county agencies that administer the IHSS program, IHSS applicants/recipients who have a need for paramedical services, and LHCP-PMs who may be asked by clients who are IHSS applicants/recipients to provide an order for paramedical services.



STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES

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

SMALL BUSINESS IMPACT STATEMENT

The Department has made an initial determination that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to IHSS applicants and state and county agencies. Further, the regulations contained in this package concern IHSS applicants who are not included in the definition of small businesses pursuant to Section 11342 of the Government Code. As such, they do not impact small businesses either in terms of occupations, reporting requirements, competitiveness, fees, charges, or assessments. These regulations carry no compliance requirements for small businesses. Hence, small businesses will incur no information or transaction costs associated with compliance with these regulations.

STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT

The analysis is intended to be a tool or baseline to establish that these regulatory measures are the most cost-effective to affected California enterprises and equally effective in implementing the statutory policy or other provision of law. The Department has made the initial determination detailed in the Initial Statement of Reasons that: the adoption of the proposed amendments will neither create nor eliminate jobs in the State of California, nor result in the elimination of existing businesses, or create or expand businesses in the State of California.

The benefits of the regulatory action to the health and welfare of California residents, worker safety, and the state's environment are as follows: Program stakeholders, including county agencies that administer the IHSS program, IHSS applicants/recipients, advocates for IHSS applicants/recipients, and others, will have a clear understanding of the most up-to-date rules relating to the authorization and provision of paramedical services within the IHSS program. Regulations relating to paramedical services were first promulgated in 1979, and they have not been updated since 1993. There are no additional benefits for worker safety or the state's environment, as the regulations only affect county agencies that administer the IHSS program, IHSS applicants/recipients who have a need for paramedical services,

and LHCP-PMs who may be asked by clients who are IHSS applicants/recipients to provide an order for paramedical services. Because these regulations apply only to individuals applying for or receiving IHSS, they do not impose any additional costs or fees on individuals, nor will they result in higher product prices or in diminished product choices or quality of goods and services produced in the private sector. There is no specific benefit to the health or welfare of the state's workers or its environment.

STATEMENT OF EFFECT ON HOUSING COSTS

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

CONSIDERATION OF ALTERNATIVES

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the public comment period.

The Department must determine that no reasonable alternative considered 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 regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

To date, workgroups have been held with counties, stakeholders, and advocacy groups to discuss the program and no other alternatives were identified or brought to the attention of the Department that would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

AUTHORITY AND REFERENCE CITATIONS

Authority: Sections 10553, 10554, 12300, 12300.1, 12301.1, 12301.2 and 12301.21, Welfare and Institutions Code; and Chapter 939, Statutes of 1992. Reference: Peremptory Writ of Mandate, Disabled Rights Union v. Woods, Superior Court, Los Angeles County, Case #C 380047; Miller v. Woods/Community Services for the Disabled v. Woods, Superior Court, San Diego County, Case Numbers 468192 and 472068; and Sections 12300, 12300(c)(7), 12300(f), 12300(g), 12300.1, and 12301.2, Welfare and Institutions Code.

DEPARTMENT REPRESENTATIVE REGARDING  
THE RULEMAKING PROCESS OF THE  
PROPOSED REGULATION

Contact Person: Kenneth Jennings (916) 657-2586  
Backup: Sylvester Okeke (916) 657-2586

**GENERAL PUBLIC INTEREST**

**DEPARTMENT OF FISH AND  
WILDLIFE**

CALIFORNIA ENDANGERED SPECIES ACT  
CONSISTENCY DETERMINATION NO.  
2080-2018-011-05

**Project:** Curletti Farming Project  
**Location:** Santa Barbara County  
**Applicant:** Betteravia Ranches, LLC

BACKGROUND

Betteravia Ranches, LLC (Applicant) proposes the Curletti Farming Project (Project) to establish and maintain new row crop agriculture, including construction of infrastructure, and a guest worker housing facility to accommodate employees. The project area totals 275.52 acres (Total Farming Area), including the 6.50-acre housing site, and is located along State Route 1 near the City of Santa Maria within unincorporated Santa Barbara County. As part of the Project, the Applicant also proposes to establish and endow a conservation easement (CE) of 472.86 acres (Easement Area) with the Santa Barbara County Land Trust as mitigation for the California tiger salamander (*Ambystoma californiense*) (CTS).

The Applicant has prepared a Low-Effect Habitat Conservation Plan (HCP) and received an Incidental Take Permit (ITP) (No. TE62704C) from the United States Fish and Wildlife Service (Service) on November 27, 2017, through section 10 of the federal Endangered Species Act (ESA; 16 U.S.C. § 1531 et seq.).

The project area lies within the historic range and federal critical habitat of CTS, and CTS have been documented within the project area. Seven known CTS breeding ponds have been recorded within 1.24 miles of the proposed Project Area: SAMA-2, SAMA-3, SAMA-21, GUAD-1, GUAD-2, GUAD-3, and GUAD-4. As recently as spring 2017, CTS larvae were captured in breeding pond GUAD-1 in large numbers

during a survey effort conducted by local biologists. GUAD-2, located within the Easement Area, is the closest known breeding pool to the Total Farming Area where impacts are anticipated to occur. The Service has identified six potential CTS breeding ponds located within 1.24 miles of the Project Area, in addition to the above-referenced known CTS breeding ponds: CASM-1, GUAD-5, GUAD-7, GUAD-9, GUAD-10 and GUAD-11.

In spring 2017, local biologists inspected known breeding ponds GUAD-1, GUAD-2, and GUAD-4 within the proposed Easement Area; and at that time, only GUAD-1 was holding water. Hundreds of CTS larvae were caught at GUAD 1 during this survey effort. The entire project area is located within a 1.24-mile radius of GUAD 1, which is approximately in the center of the site. The Easement Area also contains approximately 450 acres of upland habitat suitable for CTS. Based on these two factors, CTS is presumed to occur within the Easement Area.

The Applicant obtained an ITP from the Service that authorizes incidental take of CTS for a period of 25 years commencing on November 27, 2017 (date of federal approval). The Applicant developed biological goals and objectives and included them in the HCP to ensure that it is consistent with the conservation and recovery goals for the species.

The Project will require use of heavy equipment (e.g., water truck, excavator, backhoe, loader, and flatbed trailer) and all necessary equipment to complete construction.

The Project has the potential to incidentally take<sup>1</sup> CTS where the described activities would take place within developed and farmed areas. In particular, CTS could be incidentally taken as a result of crushing or entombment by equipment or personnel (from collapsing of burrows) or entrapment from trench excavation. CTS is designated as a federally endangered species pursuant to the federal ESA and state threatened species pursuant to the California Endangered Species Act (CESA; Fish & G. Code § 2050 et seq.) (See Cal. Code Regs., tit. 14, § 670.5, subd. (b)(3)(G).)

Anticipated incidental take of CTS is expected to be low, ranging between 0 to 7 individuals from implementation of the covered activities during project construction and between 0 and 3 individuals (annually) from ongoing operations and maintenance. Furthermore, the total number of individuals subject to inciden-

<sup>1</sup> Pursuant to Fish and Game Code section 86, “‘Take’ means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” See also *Environmental Protection Information Center v. California Department of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 507 [for purposes of incidental take permitting under Fish and Game Code section 2081, subdivision (b), “‘take’ . . . means to catch, capture or kill”].

tal take will be low when compared to the overall CTS metapopulation in the area and the larger distinct population segment.

Loss of habitat for CTS will result from the following Project activities: (1) establishment of 180.24 acres of agriculture with row crops; (2) construction of farm labor housing on 6.50 acres; (3) installation of three one-acre oil wells; (4) installation of a new telecommunication facility and maintenance of an existing facility on one acre; (5) construction of a 4-acre solar facility; and (6) infrastructure and activities associated with the above actions. Project activities will result in a total loss of 194.74 acres of suitable CTS habitat. The Service, in cooperation with the California Department of Fish and Wildlife (CDFW), performed a habitat quality impact analysis using the Searcy and Shaffer (2008) model for the disturbance of 194.74 acres of CTS upland habitat and determined a reduction in reproductive value of 156,124 units. The CE for the Project includes sufficient acreage and habitat function to compensate for this calculated 156,124-unit loss of reproductive value; therefore, the habitat protection provided by the CE effectively mitigates for all Project impacts to CTS and its habitat.

The Project is expected to result in take of a species designated as federally endangered; therefore, the Applicant prepared an HCP in support of an application for an ITP pursuant to section 10(a)(1)(B) of the federal ESA. On November 27, 2017, the Service issued an ITP (No. TE62704C) to the Applicant. The HCP describes covered activities and specifies measures the Applicant will fulfill to minimize and mitigate incidental take of individuals of the listed species likely to occur from implementation of the Project. The ITP requires the Applicant to comply with terms of the HCP and its related ITP and incorporates additional conditions.

On July 18, 2017, the Director of CDFW received the initial notice from the Applicant requesting a determination that the Project ITP, including its HCP, is consistent with CESA for purposes of CTS pursuant to Fish and Game Code section 2080.1 (Cal. Reg. Notice Register 2018, No. 41-Z, p.1825). On August 22, 2017, the Applicant sent the Director of CDFW a Rescind Request to further evaluate and coordinate with CDFW on the CE and associated instruments for funding management activities. On September 27, 2018, the Applicant once again submitted to the Director of CDFW a consistency determination (CD) request.

#### DETERMINATION

CDFW has determined that the Project is consistent with CESA for CTS because the mitigation measures contained in the ITP and its associated HCP meet the

conditions set forth in Fish and Game Code section 2081, subdivisions (b) and (c), for authorizing incidental take of CESA-listed species. Specifically, CDFW finds that: (1) take of CTS will be incidental to an otherwise lawful activity; (2) the mitigation measures identified in the HCP and ITP will minimize and fully mitigate the impacts of the authorized take; (3) adequate funding is ensured to implement the required avoidance, minimization, and mitigation measures and to monitor compliance with, and effectiveness of, those measures; and (4) the Project will not jeopardize the continued existence of CTS. The mitigation measures in the ITP and its associated HCP include, but are not limited to, the following:

#### Avoidance, Minimization, and Mitigation Measures

- The Applicant will record a CE encompassing 472.86 acres with the Santa Barbara County Land Trust and establish an endowment for long-term management as mitigation for the conservation of CTS, which would also support California red-legged frog (CRLF; *Rana draytonii*).
- The Applicant will ensure field crews participate in training prior to initiation of Project activities. Trainings will emphasize Project-specific information on CTS, avoidance and minimization measures, roles and responsibilities, and communication/reporting protocols.
- Project workers shall limit their vehicle use to existing routes of travel. The Applicant will prohibit cross-country travel unless access is determined critical for a particular activity and the route has been flagged to avoid or minimize adverse effects.
- The Applicant will ensure Project-related vehicle speeds will not exceed 10 miles-per-hour within CTS upland habitat.
- Prior to moving vehicles or equipment, employees shall look under the vehicles or equipment for CTS individuals. If an individual is observed, the vehicle shall not be moved until the animal has vacated the area on its own accord or has been relocated out of harm's way by the Service-approved biologist.
- A Service-approved biologist shall be present daily during the pre-initial ground disturbance period surveys, as well as during initial grading and excavation activities. Upon completion of initial ground disturbance, the biologist will periodically (minimum twice per week) visit the Project site throughout the construction period. During periods of rain or heavy fog/dew, the biologist will conduct daily pre-activity surveys to ensure no CTS individuals have migrated into the work area. No construction work will be

initiated until the Service-approved biologist determines the work area is clear of CTS individuals.

- The Applicant shall implement “The Declining Amphibian Task Force Fieldwork Code of Practice” for all amphibian relocation activities. The Service-approved biologist shall relocate any CTS found within the Project footprint to an active rodent burrow system located no more than 300 feet outside of the Project area unless otherwise approved by CDFW and the Service. The Service-approved biologist shall identify relocation areas based upon best suitable habitat available. Only a Service-approved biologist shall relocate CTS. The Service-approved biologist shall document both locations by photographs and global positioning system (GPS) positions. The Service-approved biologist shall photograph and measure (snout-vent) CTS for identification purposes prior to relocation. The Applicant will provide all documentation to the Service and CDFW within 24 hours of relocation.
- The Applicant will avoid rodent burrows to the maximum extent possible. If burrows cannot be avoided, burrow excavation may be performed using hand tools or via gentle excavation using construction equipment, under the direct supervision of the Service-approved biologist. In lieu of burrow excavation, the Applicant may use steel plates or plywood to protect small mammal burrows from ground disturbance. The Applicant will remove plates and plywood nightly when a significant rain event is forecasted within 48 hours and if work is scheduled to cease for consecutive days.
- The Applicant will install exclusionary barriers at the discretion of the Service-approved biologist to minimize the potential for CTS to enter the worksite.
- The Service-approved biologist will inspect steep-walled excavations (e.g., trenches) that may act as pitfall traps for wildlife at least once per day and immediately before backfilling. In lieu of daily inspections (weekends, etc.), the Applicant will install exclusionary fencing, covers, ramps, or similar mechanisms to prevent wildlife entrapment.
- The Applicant will cap or seal with tape (or equivalent material) open pipe segments each night, or otherwise will store open pipe segments at least three feet above ground.

- If covered activities must occur during the rainy season, the Applicant will not work during rain events (greater than 0.5 inches of rainfall), 48 hours prior to rain events, or during the 48 hours after these events.

#### Monitoring and Reporting Measures

- If a dead or injured CTS is found, the Applicant shall notify the Service’s Ventura Field Office at (805) 644-1766 within 72 hours. In addition, CDFW requests the notification also be submitted to CDFW at the same time.
- The Applicant will conduct on-site construction monitoring, maintain daily monitoring logs, and prepare a post-construction compliance report.
- By January 31 following each year of permit issuance and Project implementation, the Applicant shall submit a report to the Service’s Ventura Field Office to document the status of the Project. The Applicant shall also provide a copy of the report to CDFW.

#### Financial Assurances

- The Applicant will provide an endowment for the long-term management of the Conservation Easement and convey it to the Santa Barbara Land Trust. A copy of the letter establishing and executing the endowment will be provided to CDFW. The Applicant will also provide a copy of the executed CE with the Santa Barbara County Land Trust for 472.86 acres as identified in the HCP as mitigation for conservation of CTS, which would also support CRLF.

Pursuant to Fish and Game Code section 2080.1, take authorization under CESA is not required for the Project for incidental take of CTS, provided the Applicant implements the Project as described in the HCP and its associated ITP, including adherence to all measures contained therein, and complies with the mitigation measures and other conditions described in the HCP and its associated ITP. If there are any substantive changes to the Project, including changes to the minimization and mitigation measures in the HCP, or if the Service amends or replaces the ITP, the Applicant shall be required to obtain a new CD or a CESA ITP for the Project from CDFW. (See generally Fish & G. Code, §§ 2080.1, 2081, subs. (b) and (c).)

#### REFERENCES

Searcy, C. A., and H. B. Shaffer. 2008. Calculating biologically accurate mitigation credits: insights from the California tiger salamander. *Conservation Biology* 22: 997-1005.

DEPARTMENT OF FISH AND  
WILDLIFE

CESA CONSISTENCY DETERMINATION  
REQUEST FOR  
Meadowood Specific Plan Project  
2080–2018–013–05  
San Diego County

The California Department of Fish and Wildlife (CDFW) received a notice on October 30, 2018 that Pardee Homes proposes to rely on a consultation between federal agencies to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The proposed project involves the development of approximately 218 acres of the 399-acre Meadowood site for residential housing and associated uses. Proposed activities will include, but are not limited to, the development of single-family residential units, an elementary school, a neighborhood park, pocket parks, recreational trails, and supporting infrastructure. The project will also include the development of agricultural, cultural, and biological open space areas. The proposed project will occur on the Meadowood Property located in northwestern San Diego County, east of I-15 and north of SR-76.

The U.S. Fish and Wildlife Service (Service) issued a federal biological opinion (BO) (Service Ref. No. FWS-SDG-08B0183-18F1313) in a memorandum to the U.S. Army Corps of Engineers on July 12, 2018, which considered the effects of the proposed project on state endangered and federally threatened yellow-billed cuckoo (*Coccyzus americanus occidentalis*), the state and federally endangered southwestern willow flycatcher (*Empidonax traillii extimus*), and the state and federally endangered least Bell's vireo (*Vireo bellii pusillus*).

Pursuant to California Fish and Game Code section 2080.1, Pardee Homes is requesting a determination that the BO and its associated incidental take statement (ITS) are consistent with CESA for purposes of the proposed project. If CDFW determines the BO and its associated ITS are consistent with CESA for the proposed project, Pardee Homes will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) for the proposed project.

DEPARTMENT OF FISH AND  
WILDLIFE

FISH AND GAME CODE SECTION 1653  
CONSISTENCY DETERMINATION REQUEST  
FOR  
Upper Scott River Bioengineering Project  
(Tracking Number: 1653–2018–029–001–R1)  
Siskiyou County

California Department of Fish and Wildlife (CDFW) received a Request to Approve on 10/24/2018 that GS Black, Inc. proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project aims to improve in-stream and riparian habitat by constructing a series of woven-willow deflection structures, excavating a back bar channel, and conducting riparian plantings of native willows and cottonwoods. The proposed project will be carried out on the Scott River, located at approximately 0.75 miles above Horn Lane Bridge near Etna, Siskiyou County, California.

On September 19, 2018, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Upper Scott River Bioengineering Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333—Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID No. 1A180145WNSI; ECM PIN No. 851187) for coverage under the General 401 Order on October 19, 2018.

GS Black, Inc. is requesting a determination that the project and associated documents are complete pursuant to Fish and Game Code section 1653 subdivision (d). If CDFW determines the project is complete, the District will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) or a Lake or Streambed Alteration Agreement under Fish and Game Code section 1605 for the proposed project.

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review,

based on substantial evidence, that the request is not complete, GS Black, Inc. will have the opportunity to submit under Fish and Game Code section 1652.

**DEPARTMENT OF TOXIC SUBSTANCES  
CONTROL**

PORCELAIN METALS CORPORATION  
(FORMERLY CAMEO) SITE  
PROPOSED CONSENT DECREE

NOTICE OF PUBLIC COMMENT PERIOD:  
November 9 through December 10, 2018

**Para información en español por favor comuníquese con Amanda Domínguez al número (818) 717-6581.**

The Department of Toxic Substances Control (DTSC) invites you to review and comment on a proposed Consent Decree regarding the former CAMEO facility located at 6840 and 6904 East Slauson Avenue in Commerce, California (Site). In 2016, DTSC filed suit against Porcelain Metals Corporation under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9601 et seq., to recover costs of investigating and cleaning up releases of hazardous substances at the Site. The proposed Consent Decree resolves DTSC's claims against Porcelain Metals Corporation, a dissolved Kentucky corporation, for its liability for contamination at the Site. Porcelain Metals Corporation is the current owner of the Site and the corporate successor to the former operator of the Site. The proposed Consent Decree also resolves DTSC's potential claims against Federal Insurance Company in its capacity as the insurer of the former operator of the Site. Under the Consent Decree, Porcelain Metals will pay DTSC \$1,865,258.61 and the net sale proceeds from the sale of 6904 East Slauson Avenue, Commerce, California to reimburse DTSC for a portion of its cleanup and oversight costs, subject to certain conditions and reservations.

**You may view documents at the following locations:** The Consent Decree and background documents are available for review on the Activities and Summary tabs, respectively, on the DTSC EnviroStor website at: [https://www.envirostor.dtsc.ca.gov/public/profile\\_report?global\\_id=19390043](https://www.envirostor.dtsc.ca.gov/public/profile_report?global_id=19390043).

You may also review documents in the File Room at DTSC's Chatsworth office by appointment: 9211 Oakdale Avenue, Chatsworth, California 91311; call (818) 717-6500 for an appointment.

**WHERE DO I SUBMIT MY COMMENTS?**  
DTSC will consider comments that are postmarked on

or before December 10, 2018, or received electronically by 11:59 p.m. on that date. Please submit comments with "**CAMEO CD Comment**" in the subject line to:

Tajinder Gill, DTSC Project Manager  
9211 Oakdale Avenue  
Chatsworth, California 91311  
(818) 717-6586  
or by e-mail to: [tajinder.gill@dtsc.ca.gov](mailto:tajinder.gill@dtsc.ca.gov)

For more information, contact:  
Amanda Dominguez,  
Public Participation Specialist  
(818) 717-6581  
[Amanda.Dominguez@dtsc.ca.gov](mailto:Amanda.Dominguez@dtsc.ca.gov)

DTSC will consider comments received during the public comment period on the Consent Decree and file with the Court any written comments received and DTSC's responses thereto. The Court may then enter or approve the Consent Decree. DTSC also reserves the right to withdraw or withhold its consent to entry (approval) of the Consent Decree if such comments disclose facts or considerations that indicate the Consent Decree is inappropriate, improper, or inadequate.

NOTICE TO HEARING IMPAIRED: TTY users may use the California Relay Service @ 711 or 1-800-855-7100. You may also contact the Public Participation Specialist listed above.

**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 October 17, 2018, received a petition from the Xerces Society for Invertebrate Conservation, Defenders of Wildlife, and Center for Food Safety to list Crotch bumble bee (*Bombus crotchii*), Franklin's bumble bee (*Bombus franklini*), Suckley cuckoo bumble bee (*Bombus suckleyi*), and western bumble bee (*Bombus occidentalis occidentalis*) as endangered under the California Endangered Species Act.

All bumble bees have three basic habitat requirements: suitable nesting sites for the colonies, availability of nectar and pollen from floral resources throughout the duration of the colony period (spring, summer, and fall), and suitable overwintering sites for the queens. In addition, their populations can be negatively affected by both pathogens and pesticides; thus, they may require habitat that is free from exposure to high levels of both native and exotic pathogens, and pesticides that cause harm to colonies. Bumble bees are found in a

wide variety of natural, agricultural, urban, and rural habitats, although species' richness tends to peak in flower-rich meadows of forests and subalpine zones.

Pursuant to Section 2073 of Fish and Game Code, on October 26, 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 December 12–13, 2018, meeting in the QLN Conference Center, 1938 Avenida del Oro, Oceanside, California. It is anticipated that the Department's evaluation and recommendation relating to the petition will be received by the Commission at its February 6–7, 2019, meeting in Sacramento.

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](mailto:Kevin.Shaffer@wildlife.ca.gov), for information on the petition or to submit information to the Department relating to the petitioned species.

**DISAPPROVAL DECISION**

**DEPARTMENT OF BUSINESS  
OVERSIGHT**

STATE OF CALIFORNIA OFFICE OF  
ADMINISTRATIVE LAW

In re: Department of Business Oversight

Regulatory Action:

Title 10, California Code of Regulations

Adopt sections: 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056

Amend sections:

Repeal sections:

**DECISION OF DISAPPROVAL OF REGULATORY ACTION**

Government Code Section 11349.3

OAL Matter Number: 2018–0907–03

OAL Matter Type: Regular (S)

**SUMMARY OF REGULATORY ACTION**

The Department of Business Oversight (Department) proposed to adopt regulations that would implement the

Student Loan Servicing Act, operative July 1, 2018, pursuant to which student loan service providers must be licensed to engage in the business of servicing a student loan in this state.

On September 9, 2018, the Department submitted the above-referenced rulemaking action to the Office of Administrative Law (“OAL”) for review. On October 19, 2018, OAL notified the Department of OAL’s decision to disapprove the proposed rulemaking.

**DECISION**

OAL disapproved the above-referenced rulemaking action because the proposed regulations failed to comply with the clarity standard of the Administrative Procedure Act (the “APA”). Additionally, the Department failed to follow procedural requirements of the APA in adopting the proposed regulations. All of these issues must be resolved prior to OAL’s approval of the regulations. This Decision of Disapproval of Regulatory Action explains the reasons for OAL’s action.

**CONCLUSION**

OAL disapproved the above-referenced rulemaking action for the foregoing reasons. Pursuant to Government Code section 11349.4, subdivision (a), the Department may resubmit revised regulations and rulemaking documents within 120 days of their receipt of this Decision of Disapproval. A copy of this Decision was emailed to the Department on the date indicated below. If you have any questions, please contact me at (916) 323–8915.

Date: October 26, 2018

Beverly J. Johnson  
Deputy Director

For: Debra M. Cornez  
Director

Original: Jan Owen, Commissioner

Copy: Mark Dyer

**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# 2018-1019-01

BOARD OF FORESTRY AND FIRE PROTECTION  
Emergency Post-Fire Recovery for Lake, Siskiyou,  
Mendocino, Shasta, Trinity, and Napa Counties

This emergency action provides for an exemption from the plan completion and submission, completion report, and stocking report requirements of the Z'berg-Nejedly Forest Practice Act of 1973 (Pub. Resources Code, § 4511 et seq.) to persons engaging in specified forest management activities, including cutting or removing dead or dying trees within 300 feet of an approved and legally permitted structure that was damaged or destroyed by wildfire during the 2018 wildfires in Lake, Siskiyou, Mendocino, Shasta, Trinity, and Napa Counties.

Title 14  
AMEND: 1038  
Filed 10/29/2018  
Effective 10/29/2018  
Agency Contact: Eric Hedge (916) 653-9633

File# 2018-0925-02

CALIFORNIA HEALTH FACILITIES FINANCING  
AUTHORITY  
Children's Hospital Program of 2008

The California Health Facilities Financing Authority submitted this timely certificate of compliance action to make permanent emergency regulations that established a new timeframe and application form for a second round of funding authorized by the Children's Hospital Bond Act of 2008. These funds will be awarded to eligible children's hospitals for capital improvements and special medical equipment.

Title 4  
AMEND: 7051, 7054, 7055, 7056, 7063, 7071  
Filed 10/31/2018  
Effective 10/31/2018  
Agency Contact:  
Carolyn Aboubechara (916) 653-3213

File# 2018-0912-03

COMMISSION ON PEACE OFFICER STANDARDS  
AND TRAINING  
Peace Officer Selection Standards

This action (1) amends background check requirements for interim chiefs; and (2) amends education and training requirements for peace officer screening psychologists (evaluators).

Title 11  
AMEND: 1953, 1955  
Filed 10/24/2018  
Effective 01/01/2019  
Agency Contact: Melani Singley (916) 227-4258

File# 2018-0917-01

DEPARTMENT OF CORRECTIONS AND  
REHABILITATION  
Cognitive Behavioral Interventions for Sex Offenders  
Pilot Program

This filing of changes without regulatory effect by the California Department of Corrections and Rehabilitation (Department) repeals the Cognitive Behavioral Interventions for Sex Offenders Pilot Project, which was approved on December 14, 2015, pursuant to Penal Code section 5058.1. The pilot program expired by operation of law on December 14, 2017.

Title 15  
REPEAL: 3999.20  
Filed 10/29/2018  
Agency Contact: Laura Lomonaco (916) 445-2217

File# 2018-1012-01

DEPARTMENT OF CORRECTIONS AND  
REHABILITATION  
Automatic Restoration of Forfeited Credits

This emergency of operational necessity rulemaking by the Department of Corrections and Rehabilitation (the "Department") adopts an alternative Good Conduct Credit restoration process for certain Division "D," "E," and "F" offenses discovered by Department staff on or after May 1, 2017.

Title 15  
ADOPT: 3329.5  
Filed 10/30/2018  
Effective 11/01/2018  
Agency Contact: Sarah Pollock (916) 445-2308

File# 2018-0918-02

DEPARTMENT OF FISH AND WILDLIFE  
Dungness Crab Trap Surface Gear Limitations

This rulemaking action by the Department of Fish and Wildlife (Department) establishes limits on surface lines and buoys utilized by the crab fishery and clarifies when such gear must be removed from state waters.

Title 14  
ADOPT: 132.6  
AMEND: 132.1, 132.2, 132.3  
Filed 10/30/2018  
Effective 10/30/2018  
Agency Contact: Christy Juhasz (707) 576-2887



File# 2018-0919-01  
 DEPARTMENT OF GENERAL SERVICES  
 Disabled Veteran Business Enterprise Incentive

This action by the Department of General Services amends existing regulations relating to the Disabled Veteran Business Enterprise incentive program.

Title 2  
 AMEND: 1896.99.100, 1896.99.120  
 Filed 10/29/2018  
 Effective 01/01/2019  
 Agency Contact: Anda Draghici (916) 375-3115

File# 2018-0919-02  
 DEPARTMENT OF RESOURCES RECYCLING  
 AND RECOVERY  
 Public Records

This action by the Department of Resources Recycling and Recovery (Department) makes changes without regulatory effect pursuant to section 100 of the California Code of Regulations, including updating the Department's mailing address and changing references to the "Board" to the "Department" to reflect statutory changes in Statutes 2009, chapter 21 (SB 63).

Title 14  
 AMEND: 17041, 17042, 17043, 17044, 17045, 17046  
 Filed 10/29/2018  
 Agency Contact: Harlee Branch (916) 341-6056

File# 2018-0912-02  
 DEPARTMENT OF TOXIC SUBSTANCES  
 CONTROL  
 Hazardous Waste Facility Permitting Criteria

This action establishes and updates criteria for the issuance of a new or modified hazardous waste facility permit.

Title 22  
 ADOPT: 66720.14, 66271.50, 66271.51, 66271.52, 66271.53, 66271.54, 66271.55, 66271.56, 66271.57  
 AMEND: 66260.10, 66264.16, 66264.101, 66264.143, 66264.144, 66264.145, 66264.146, 66264.147, 66264.151, 66265.16, 66265.143, 66265.144, 66265.145, 66265.146, 66265.147  
 Filed 10/24/2018  
 Effective 01/01/2019  
 Agency Contact: Evelia Rodriguez (916) 327-6104

File# 2018-0921-01  
 DEPARTMENT OF TOXIC SUBSTANCES  
 CONTROL  
 Postclosure Rule

This action establishes rules that will allow the Department of Toxic Substances Control to use enforce-

able documents, such as enforcement orders and enforceable agreements, to authorize hazardous waste postclosure activities at hazardous waste facilities subject to postclosure care.

Title 22  
 ADOPT: 66264.121, 66265.121, 66270.28  
 AMEND: 66264.90, 66264.110, 66265.90, 66265.110, 66270.1, 66270.14  
 Filed 10/31/2018  
 Effective 01/01/2019  
 Agency Contact: Peter Bailey (916) 255-6552

File# 2018-1005-01  
 DIVISION OF WORKERS' COMPENSATION  
 Medical Treatment Utilization Schedule (MTUS)

This file and print action by the Division of Workers' Compensation (Division) of the Department of Industrial Relations adopts one section and amends one section in title 8 of the California Code of Regulations to make evidence based updates to the medical treatment utilization schedule (MTUS) pursuant to Labor Code section 5307.27.

Title 8  
 ADOPT: 9792.24.5  
 AMEND: 9792.22  
 Filed 10/30/2018  
 Effective 10/31/2018  
 Agency Contact: John Cortes (510) 286-7100

File# 2018-0913-01  
 MEDICAL BOARD OF CALIFORNIA  
 Section 100 Changes — Several

In these changes without a regulatory effect, the Board repeals the regulations related to the sponsored free health care events and the monitoring of peer review disability investigations. The Board further updates its office address and the terminology it uses to refer to its Licensing Program and Enforcement Program.

Title 16  
 AMEND: 1300.1, 1300.2, 1300.4, 1355, 1355.1, 1355.3  
 REPEAL: 1333, 1333.1, 1333.2, 1333.3, 1362, 1362.1  
 Filed 10/25/2018  
 Agency Contact: Kerrie Webb (916) 263-2389

File# 2018-0924-02  
 OFFICE OF STATEWIDE HEALTH PLANNING  
 AND DEVELOPMENT  
 OSHPD — Obsolete Language and Expected Source of Payment Update

This action without regulatory effect updates the list of licensed health care service plans for the Expected Source of Payment patient data element by adding new-

ly licensed plans, removing one plan that is no longer licensed, and updating existing plan names. In addition, this action removes obsolete language, harmonizes terminology, renumbers subdivisions, and makes minor revisions to punctuation.

**Title 22**

AMEND: 97215, 97216, 97217, 97221, 97222, 97223, 97224, 97225, 97226, 97227, 97228, 97229, 97232, 97248

Filed 10/31/2018

Agency Contact:

Kimberly Gustafson (916) 326-3939

File# 2018-1011-02

SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION

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 14**

AMEND: 11600

Filed 10/30/2018

Effective 11/29/2018

Agency Contact: Myles Saron (415) 352-3657

**CCR CHANGES FILED WITH THE SECRETARY OF STATE WITHIN May 30, 2018 TO October 31, 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 2**

- 10/29/18 AMEND: 1896.99.100, 1896.99.120
- 10/22/18 ADOPT: 18215.4
- 10/11/18 AMEND: 1859.51(e)
- 09/27/18 AMEND: 43000, 43001, 43002, 43003, 43004, 43005, 43006, 43007, 43008, 43009
- 09/26/18 AMEND: 1859.2, 1859.51(j), 1859.70, 1859.82, 1859.93.1
- 09/26/18 AMEND: 59760
- 09/24/18 AMEND: 18700.2

- 09/20/18 AMEND: 559.885
- 09/20/18 ADOPT: 211.2 AMEND: 211
- 09/13/18 ADOPT: 21902, 21903.6 AMEND: 21902 (renumbered to 21901), 21903, 21904, 21905, 21905.5
- 09/11/18 AMEND: 1859.77.3
- 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

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- 10/08/18 AMEND: 3591.12
- 10/02/18 AMEND: 3591.12
- 09/13/18 AMEND: 6502
- 09/12/18 AMEND: 3591.13
- 09/12/18 AMEND: 3591.12
- 09/06/18 AMEND: 3601
- 08/22/18 AMEND: 3591.2
- 08/16/18 ADOPT: 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014, 5015
- 08/10/18 AMEND: 1380.19, 1430.10, 1430.12, 1430.13, 1430.50, 1430.51, 1430.53
- 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
- 05/30/18 AMEND: 3439(b)

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- 10/31/18 AMEND: 7051, 7054, 7055, 7056, 7063, 7071
- 10/18/18 AMEND: 1843.2

- 10/18/18 AMEND: 10170.2, 10170.3, 10170.4, 10170.5, 10170.6, 10170.7, 10170.8, 10170.9, 10170.10, 10170.14
- 09/26/18 AMEND: 12205.1
- 09/21/18 ADOPT: 5700, 5710, 5711, 5720, 5721, 5722, 5730, 5731 AMEND: 5000, 5020, 5033, 5035, 5037, 5054, 5060, 5100, 5101, 5102, 5120, 5144, 5170, 5191, 5212, 5230, 5240, 5250, 5540 REPEAL: 5259
- 09/18/18 AMEND: 7051, 7054, 7055, 7056, 7063, 7071
- 09/17/18 AMEND: 10091.1, 10091.2, 10091.3, 10091.4, 10091.5, 10091.6, 10091.7, 10091.8, 10091.9, 10091.10, 10091.11, 10091.12, 10091.13, 10091.14, 10091.15
- 08/22/18 ADOPT: 7213, 7214, 7215, 7216, 7218, 7219, 7220, 7221, 7222, 7223, 7224, 7225, 7227, 7228, 7229
- 07/26/18 AMEND: 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10184, 10185, 10186, 10187, 10188, 10190
- 07/18/18 AMEND: 2050
- 07/09/18 AMEND: 10325, 10326
- 07/03/18 AMEND: 10152, 10153, 10154, 10155, 10158 (amended and renumbered), 10159 (amended and renumbered), 10160 (amended and renumbered). REPEAL: 10156, 10157
- 07/02/18 ADOPT: 5700, 5710, 5711, 5720, 5721, 5722, 5730, 5731 AMEND: 5000, 5020, 5100
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- 10/22/18 ADOPT: 20236 AMEND: 20101, 20105, 20107, 20116, 20118, 20122, 20123, 20124, 20125, 20127, 20130, 20134, 20135, 20136, 20140, 20180, 20185, 20190, 20203, 20205, 20235 REPEAL: 20119, 20158, 20125, 20216, 20217, 20251, 20251, 20255, 20251, 20260, 20265
- 10/17/18 AMEND: 18600
- 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
- 07/23/18 AMEND: 40050.2, 40100.1, 40513, 40514, 41021
- 07/03/18 ADOPT: 71396, 71397, 71398, 71399
- 06/21/18 AMEND: 19810
- 06/07/18 AMEND: 19810
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- 10/30/18 ADOPT: 9792.24.5 AMEND: 9792.22
- 10/10/18 AMEND: 344.18
- 10/08/18 ADOPT: 13850, 13851, 13853, 13855, 13856, 13857, 13858, 13859, 13860, 13861, 13862, 13863, 13864, 13865, 13866, 13867, 13868, 13870, 13871, 13872, 13873, 13874
- 05/30/18 AMEND: 1618.1
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- 10/04/18 AMEND: 4350
- 08/20/18 ADOPT: 4020, 4020.1
- 06/21/18 AMEND: 4350
- Title 10**
- 09/25/18 AMEND: 2498.4.9
- 09/25/18 AMEND: 2498.5
- 09/25/18 AMEND: 2498.6
- 09/24/18 ADOPT: 6408, 6410, 6450, 6452, 6454, 6470, 6472, 6474, 6476, 6478, 6480, 6482, 6484, 6486, 6490, 6492, 6494, 6496, 6498, 6500, 6502, 6504, 6506, 6508, 6510, 6600, 6602, 6604, 6606, 6608, 6610, 6612, 6614, 6616, 6618, 6620, 6622
- 09/17/18 ADOPT: 6520, 6522, 6524, 6526, 6528, 6530, 6532, 6534, 6536, 6538
- 08/31/18 ADOPT: 2218.80, 2218.81, 2218.82, 2218.83
- 06/13/18 AMEND: 2498.5
- 05/31/18 AMEND: 2715, 2728.5, 2752
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- 10/24/18 AMEND: 1953, 1955
- 09/26/18 AMEND: 44.2
- 08/23/18 AMEND: 1004, 1005, 1081
- 08/15/18 AMEND: 1005, 1015
- 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
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- 09/27/18 AMEND: 500 (renumbered to 501), 501 (renumbered to 505), 501.1 (renumbered to 501.3), 501.2 (renumbered to 505.2), 501.3 (renumbered to 505.1), 501.4 (renumbered to 505.11), 502 (renumbered to 505.3), 502.1 (renumbered to 505.6), 502.2 (renumbered to 505.12), 502.3 (renumbered to 505.4), 503 (renumbered

to 501.2), 503.1 (renumbered to 505.7),  
504 (renumbered to 505.8), 504.1  
(renumbered to 505.9), 505 (renumbered  
to 510.1), 506 (renumbered to 500), 507  
(renumbered to 510.9), 508 (renumbered  
to 510.10), 509 (renumbered to 520.2)  
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07/05/18 AMEND: 451, 452, 453, 454, 455

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10/18/18 AMEND: 551.12  
10/10/18 AMEND: Appendix (Article 2.0)  
09/24/18 AMEND: 2222  
09/24/18 ADOPT: 2461.1 AMEND: 2450, 2451,  
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08/30/18 AMEND: 1213  
08/30/18 AMEND: 1239  
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25.09, 25.10, 25.11, 25.14, 25.15, 25.16,  
25.17, 25.18, 25.19, 25.20, 25.21, 25.22  
07/23/18 ADOPT: 223.00, 223.02, 223.04, 223.06,  
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07/16/18 AMEND: 1151.1, 1152.4, 1152.4.1  
06/12/18 ADOPT: 1231.3 AMEND: 1212.5, 1218,  
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10/30/18 AMEND: 11600  
10/29/18 AMEND: 17041, 17042, 17043, 17044,  
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10/29/18 AMEND: 1038  
10/16/18 AMEND: 890  
10/16/18 AMEND: 1038  
10/15/18 AMEND: 895, 895.1, 912.9, 932.9, 952.9  
09/17/18 ADOPT: 18660.44, 18660.45, 18660.46  
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18660.17, 18660.18, 18660.19,  
18660.20, 18660.21, 18660.22,  
18660.24, 18660.25, 18660.30,  
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18660.39, 18660.41 REPEAL: 18660.23  
09/06/18 AMEND: 1104.1  
08/13/18 AMEND: 7.50  
08/09/18 AMEND: 13055  
07/30/18 ADOPT: 798 AMEND: 791, 791.6,  
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07/30/18 ADOPT: 817.04 AMEND: 790  
07/30/18 AMEND: 819, 819.01, 819.02, 819.03,  
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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

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10/29/18 REPEAL: 3999.20  
10/22/18 ADOPT: 2150, 2151, 2152, 2153, 2154,  
2155, 2156, 2157  
10/17/18 ADOPT: 3371.1 AMEND: 3043.7, 3044  
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10/08/18 AMEND: 3352.2, 3352.3, 3354, 3355.1  
10/03/18 ADOPT: 3378.9, 3378.10 AMEND:  
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3341.5, 3341.6, 3341.8, 3341.9, 3375,  
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3378.1, 3378.2, 3378.3, 3378.4, 3378.5,  
3378.6, 3378.7, 3378.8 REPEAL: 3334  
10/03/18 ADOPT: 3378.9, 3378.10 AMEND:  
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3341.5, 3341.6, 3341.8, 3341.9, 3375,  
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3378.6, 3378.7, 3378.8 REPEAL: 3334  
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08/20/18 AMEND: 3294.5  
08/13/18 AMEND: 3000, 3190, 3213  
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3999.226, 3087.2 renumbered as  
3999.227, 3087.3 renumbered as  
3999.228, 3087.4 renumbered as  
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3999.233, 3087.9 renumbered as  
3999.234, 3087.10 renumbered as

	3999.235, 3087.11 renumbered as	5023, 5024, 5025, 5026, 5027, 5028,
	3999.236, 3087.12 renumbered as	5029, 5030, 5031, 5032, 5033, 5034,
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	renumbered as 3999.203, 3354.2	5315, 5400, 5401, 5402, 5403, 5404,
	renumbered as 3999.206, 3356	5405, 5406, 5407, 5408, 5409, 5410,
	renumbered as 3999.410, 3357	5411, 5412, 5413, 5414, 5415, 5416,
	renumbered as 3999.440, 3358	5417, 5418, 5419, 5420, 5421, 5422,
	renumbered as 3999.375, 3359	5423, 5424, 5425, 5426, 5500, 5501,
	renumbered as 3999.411, 3359.8	5502, 5503, 5504, 5505, 5506, 5600,
	renumbered as 3999.200(e)	5601, 5602, 5603, 5700, 5701, 5702,
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06/28/18	AMEND: 3043.3	5709, 5710, 5711, 5712, 5713, 5714,
06/14/18	AMEND: 3000, 3075.1, 3075.2, 3075.3,	5715, 5716, 5717, 5718, 5719, 5720,
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06/13/18	ADOPT: 3087, 3087.1, 3087.2, 3087.3,	5733, 5734, 5735, 5736, 5737, 5738,
	3087.4, 3087.5, 3087.6, 3087.7, 3087.8,	5739, 5800, 5801, 5802, 5803, 5804,
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10/15/18	AMEND: 1417	2452, 2453, 2455, 2456, 2458, 2459,
10/08/18	ADOPT: 1423.1, 1423.2 AMEND: 1418,	2460, 2461, 2462, 2464, 93116.1,
	1424, 1426, 1430	93116.2, 93116.3, 93116.4
09/17/18	AMEND: 1735.2	09/24/18 AMEND: 60201, 60205, 60210
09/13/18	ADOPT: 3353.1, 3353.2, 3354, 3355,	09/05/18 ADOPT: 100650
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08/30/18	AMEND: 1399.573	07/19/18 AMEND: 30305
08/29/18	AMEND: 1805.01, 1816, 1816.1, 1820,	07/19/18 AMEND: 6508
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08/01/18	AMEND: 2070, 2071	23663-4, 23663-5
06/18/18	AMEND: 1735.2	09/17/18 ADOPT: 35001, 35002, 35003, 35004,
06/14/18	REPEAL: 1399.620, 1399.621,	35005, 35006, 35007, 35008, 35009,
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06/07/18	AMEND: 321, 364	35015, 35016, 35017, 35018, 35019,
06/04/18	ADOPT: 5000, 5001, 5002, 5003, 5004,	35020, 35021, 35022, 35023, 35024,
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		09/04/18	ADOPT: 68400.5, 69020, 69021, 69022
		09/04/18	AMEND: 51490.1
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		08/16/18	AMEND: 5200
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		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
09/10/18	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, 30800, 30801, 30802, 30803, 30804, 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		
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09/26/18	AMEND: 1601, 1602, 1602.1, 1603, 1604, 1605, 1605.1, 1605.2, 1605.3, 1606, 1607, 1608, 1609		
07/19/18	AMEND: 1602, 1604, 1605.3, 1606, 1607		
<b>Title 22</b>			
10/31/18	ADOPT: 66264.121, 66265.121, 66270.28 AMEND: 66264.90, 66264.110, 66265.90, 66265.110, 66270.1, 66270.14		
10/31/18	AMEND: 97215, 97216, 97217, 97221, 97222, 97223, 97224, 97225, 97226, 97227, 97228, 97229, 97232, 97248		

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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		2644, 2644.1, 2646.1, 2647, 2648, 2649, 2660, 2661, 2663, 2665, 2666, 2672, 2711, 2712, 2715, Appendix III, VI REPEAL: 2645, 2646
		08/22/18	AMEND: 3920
		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
		<b>Title 25</b>	
		06/04/18	ADOPT: 6932 REPEAL: 6932
		<b>Title 27</b>	
		08/30/18	REPEAL: 25601, 25602, 25603, 25603.1, 25603.2, 25603.3, 25604, 25604.1, 25604.2, 25605, 25605.1, 25605.2.
		08/02/18	ADOPT: 25501.1
		07/17/18	AMEND: 25805
		06/14/18	AMEND: 15100, 15110, 15120, 15130, 15150, 15160, 15170, 15180, 15185, 15186, 15186.1, 15187, 15188, 15190, 15200, 15210, 15240, 15241, 15242, 15250, 15260, 15280, 15290, 15320, 15330, Appendix A, Appendix B, Appendix C
<b>Title 22, MPP</b>			
08/24/18	ADOPT: 87468.1, 87468.2 AMEND: 87101, 87102, 87109, 87309, 87468, 87506, 87612, 87615, 87631		
08/22/18	ADOPT: 89600, 89601, 89602, 89632, 89633, 89637, 89662, 89667		
07/12/18	AMEND: 87211		
<b>Title 23</b>			
09/24/18	ADOPT: 3979.10		
09/20/18	AMEND: 315, 316		
08/27/18	ADOPT: 2637.1, 2637.2, 2640.1, 2716, Appendix VII, VIII, IX, X, XI, XII, XIII AMEND: 2611, 2620, 2621, 2631, 2634, 2635, 2636, 2637, 2638, 2640, 2643,		
		<b>Title MPP</b>	
		09/26/18	AMEND: 31–206, 31–525