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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 CATASTROPHE RESPONSE COUNCIL

NOTICE IS HEREBY GIVEN that the California Catastrophe Response Council, pursuant to the authority vested in it by section 87300 of the Government Code, proposes its conflict-of-interest code. A comment period has been established commencing on February 28, 2020 and closing on April 13, 2020.

The California Catastrophe Response Council proposes to adopt 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. A written explanation of why each position was selected and the reasons for the disclosure categories is available.

The California Catastrophe Response Council appoints the administrator of the California Wildfire Fund, oversees the activities of the administrator, and approves certain aspects of the administration of the fund, including the administrator's procedures for the review, approval and timely funding of eligible claims. Copies of the proposed code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed code by submitting them in writing no later than April 13, 2020, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than March 27, 2020 by contacting the Contact Person set forth below.

The California Catastrophe Response Council has determined that the proposed 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 should be directed to:

Shannon McEuen
 California Earthquake Authority
 801 K Street, Suite 1000
 Sacramento, CA 95814
 Telephone: (916) 661-5430
 E-mail: SMcEuen@calquake.com

TITLE 13. CALIFORNIA HIGHWAY PATROL

DIVISION 2, ADOPT CHAPTER 13

CALIFORNIA HIGHWAY PATROL CANNABIS TAX FUND GRANT PROGRAM (CHP-R-2019-06601)

Section 2402 of the California Vehicle Code (CVC) authorizes the Commissioner of the California Highway Patrol (CHP) to make and enforce regulations as necessary to carry out the duties of the CHP. The CHP proposes to adopt regulations within Title 13 of the California Code of Regulations (CCR), Division 2, by adding Chapter 13, which would govern the CHP Cannabis Tax Fund Grant Program, in furtherance of the Control, Regulate, and Tax Adult Use of Marijuana Act (AUMA), an initiative measure enacted as Proposition 64 on November 8, 2016, by a statewide general election. The AUMA and subsequent legislation, including Senate Bill 94 (2017) authorizes a person who obtains a state license from a cannabis control agency to engage in commercial adult-use and medicinal cannabis activity pursuant to that license and applicable local ordinances.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

In accordance with Section 34019 of the Revenue and Taxation Code (RTC) and the passage of the AUMA, the Department has established the Cannabis Tax Fund Grant Program. The purpose of this program is to provide financial assistance to eligible entities for the education, prevention, and/or enforcement of impaired

driving laws related to driving under the influence (DUI) of alcohol and other drugs, including cannabis.

This rulemaking package is initiated to implement a new grant program created by Section 34019(f)(3)(B) RTC. Specifically, the proposed regulations outline general grant provisions, grant project types, specific application requirements, grant evaluation criteria, and necessary administrative procedures for the effective implementation of the program.

The funds disbursed by the California State Controller's Office shall be used to fund *internal CHP programs and grants to qualified nonprofit organizations and local governments for education, prevention, and enforcement of laws related to driving under the influence (DUI) of alcohol and drugs, including cannabis; programs that help enforce traffic laws, educate the public in traffic safety, provide varied and effective means of reducing fatalities, injuries, and economic losses from collisions; and for the purchase of equipment related to enforcement of laws related to DUI of alcohol and other drugs, including cannabis* (refer to Section 34019(f)(3)(B) RTC).

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

After conducting an evaluation, the CHP has determined these regulations pertain only to the grant program administered within the Department by the authority of Section 34019 RTC. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATION

This proposed regulatory action will ensure the Cannabis Tax Fund Grant Program has uniform standards, internal controls, and guidelines to ensure consistent and effective administration of the program; the public understands the expectation of the program; and the program targets law enforcement programs designed to reduce DUI of alcohol and other drugs, including cannabis.

PUBLIC COMMENTS

Any interested person may submit written comments on this proposed action via facsimile at (916) 322-3169, by electronic mail to IDSRegs@chp.ca.gov, or by writing to:

California Highway Patrol
Impaired Driving Section
Attention: Cathy Perry and Vanessa Martinez
P.O. Box 942898
Sacramento, CA 94298-0001

Written comments will be accepted until 5:00 p.m., on April 14, 2020.

No public hearing has been scheduled. If any person desires a public hearing, a written request must be received by the CHP, Impaired Driving Section (IDS), no later than 15 days prior to the close of the written comment period.

AVAILABILITY OF INFORMATION

The CHP has available for public review an initial statement of reasons for the proposed regulatory action, the information upon which this action is based (the rulemaking file), and the proposed regulation text. Requests to review or receive copies of this information should be directed to the CHP either in writing to the address above, by facsimile at (916) 322-3169, or by calling the CHP, IDS, at (916) 843-4360. All requests for information should include the following information: the title of the rulemaking package, the requester's name, proper mailing address (including city, state, and zip code), and a daytime telephone number in the event the requester's information is incomplete or illegible.

The rulemaking file is available for inspection at CHP, IDS, 601 North 7th Street, Sacramento, CA 95811. Interested parties are advised to call for an appointment. All documents regarding the proposed action are available through the CHP's website at: <https://www.chp.ca.gov/programs-services/programs/impaired-driver-enforcement-programs/cannabis-tax-fund-grant-program-overview>.

Any substantial changes to the original proposal will be available for at least 15 days prior to the CHP adopting this resulting regulation.

Any person desiring to obtain a copy of the adopted text and a final statement of reasons may request them at the above-noted address. Copies will also be posted on the CHP's website.

CONTACT PERSON

Any inquiries concerning the written materials pertaining to the proposed regulations or questions regarding the content of the proposed regulations, should be directed to Cathy Perry or Vanessa Martinez, CHP, IDS, at (916) 843-4360.

ADOPTION OF PROPOSED REGULATIONS

After consideration of public comments, the CHP may adopt the proposal substantially as set forth with-

out further notice. If the proposal is modified prior to adoption and the change is not solely grammatical or non-substantive in nature, the full text of the resulting regulation, with the changes clearly indicated, will be made available to the public for at least 15 days prior to the date of adoption.

DISCLOSURES REGARDING THE PROPOSED ACTION

The CHP has made the following determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

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

Effect on Small Business: This proposed regulation will not affect small business for the reason that the grants agreements program is a voluntary program intended to supplement an eligible entities existing budget, not support it.

Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The CHP concludes this proposed regulatory action: (1) is unlikely to create additional jobs, nor eliminate any jobs in the State of California; (2) is unlikely to result in the elimination of existing businesses, nor create or expand businesses in the State of California; (3) will continue to provide a benefit to the protection and safety of public health, employees, and the environment by providing financial assistance to eligible entities for goals and objectives set by the grants agreements program as outlined in Section 34019 RTC.

CONSIDERATION OF ALTERNATIVES

In accordance with Section 11346.5(a)(13) GC, the CHP must determine that no reasonable alternative con-

sidered by the CHP, or that has otherwise been identified and brought to the attention of the CHP, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The CHP invites interested parties to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

AUTHORITY AND REFERENCE

The authority and references for the proposed regulations contained in this rulemaking are as follows: Sections 2102 and 2402 CVC; Section 34019 RTC; Section 83.5(a), Section 16.5(d) and Section 8356 GC; Section 501(c)(3) of the United States (U.S.) Internal Revenue Code; and Section 5704(a)(1) of the 5 U.S. Code.

TITLE 16. BOARD OF PHARMACY

NOTICE IS HEREBY GIVEN that the California State Board of Pharmacy (board) is proposing to take the rulemaking action described below under the heading Informative Digest/Policy Statement Overview. Any person interested may present statements or arguments relevant to the action proposed in writing. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the board at its office by April 13, 2020.

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

The board may, after considering all timely and relevant comments, adopt the proposed regulations substantially as described in this notice, or may modify the proposed regulations if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Section 4005 of the Business and Professions Code (B&P) authorizes the board to adopt this regulation. The proposed regulation imple-

ments, interprets, and makes specific sections 4110 and 4113.5 of the Business and Professions Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The California State Board of Pharmacy (board) is a state agency vested with the authority to regulate the pharmacy industry, including pharmacies, pharmacists, and pharmacy technicians (Business and Professions Code (B&P) section 4000, et seq.). The board's mandate and its mission is to protect the public (B&P section 4001.1).

Senate Bill (SB) 1442 (Wiener, Statutes of 2018, Chapter 569) established that licensed pharmacists are health care professionals, who play a vital role in protecting public health. SB 1442 added Section 4113.5 to the B&P, which prohibits a community pharmacy from requiring a pharmacist to engage in the practice of pharmacy while the pharmacy is open to the public unless another employee of the pharmacy is present and working in the pharmacy, or an employee of the establishment is always made available to assist the pharmacist. This statute also specifies that the prohibition shall not apply to pharmacies that meet specific criteria, including, but not limited to, a hospital pharmacy (as defined by B&P section 4029 or 4056), a hospital outpatient pharmacy, or a government owned pharmacy.

This proposal will add section 1714.3 to Title 16 of the California Code of Regulations (CCR) to identify the requirements that the pharmacy must meet to comply with the statute, including identifying the name of the assigned person/people who shall be available to assist the pharmacist, ensure that the assigned person/people is/are able to perform the duties identified in 16 CCR section 1793.3, ensure that the assigned person/people qualifies/qualify to have access to controlled substances (i.e. a background check has been completed), and ensure that the person/people assigned is/are available to assist within a required amount of time following the request for assistance by the pharmacist. Additionally, sections 1714.3(b) and (c) identify the requirement for the pharmacy to develop and maintain policies and procedures that address the training of the assistant(s), the process for the pharmacist to request assistance, ensure that all impacted staff read and sign a copy of the policies and procedures, and maintain the policies and procedures within the pharmacy in a readily retrievable format.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATIONS

Protection of the public is the board's highest priority in exercising its licensing, regulatory and disciplinary functions. This regulatory proposal benefits the health and welfare of California residents, as well as benefitting employee safety. The proposed regulation will ensure that pharmacists are aware of the designated person assigned to assist them, should help be needed. This will ensure the pharmacist can provide more complete patient centered care, which will benefit the health and welfare of California residents. Additionally, this will improve employee safety by ensuring that the staff that are responsible for aiding the pharmacist are aware of the requirements and receive appropriate training for working within the pharmacy.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

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

FISCAL IMPACT AND RELATED ESTIMATES

Fiscal Impact on Public Agencies Including Costs/Savings to State Agencies or Costs/Savings in Federal Funding to the State: The California Department of Justice could see an increase in fingerprinting revenue should additional background checks be necessary. The board believes this possible increase in revenue to be minor.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This proposal does reinforce the requirement that the person designated to aid the pharmacist must qualify to have access to controlled substances (i.e. a background check has

been completed). This requirement is established by Federal regulation (21 CFR 1301.76 and 1301.90 *et seq.*) and is current law. It is not establishing a new requirement. The pharmacy may need to have the person designated to aid the pharmacist complete a fingerprint background check, if one was not completed as part of the hiring process to work in the retail store. The current processing fees associated with Live Scan fingerprinting are \$32.00 for DOJ and \$17.00 for FBI, with some Live Scan agencies charging additional fees for “rolling” fingerprints and/or administrative processing. The board believes these costs to be minor. Additionally, the proposal establishes the requirement for policies and procedures that address specific criteria. Pharmacies are already required to have policies and procedures in place with respect to other areas of pharmacy practice. The additional policies and procedures can be incorporated into the pharmacies’ existing policies and procedures. These requirements will not have a significant statewide adverse economic impact on business, including the ability of California businesses to compete with businesses in other states.

Cost Impact on Representative Private Person or Business:

The board estimates that there may be a minimal expense to the pharmacy for supply costs to develop the policies and procedures (i.e. paper) and the time it will take to write the policies and procedures and obtain staff signatures. The board estimates that the process should not take more than a few hours. Additionally, the pharmacy may need to have the person designated to aid the pharmacist complete a fingerprint background check, if one was not completed as part of the hiring process to work in the retail store. The current processing fees associated with Live Scan fingerprinting are \$32.00 for DOJ and \$17.00 for FBI, with some Live Scan agencies charging additional fees for “rolling” fingerprints and/or administrative processing. The board believes these costs to be minor. The board anticipates no costs to an individual.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The board does not have nor does it maintain data to define if any of its licensees are a “small business” as defined in Government Code section 11342.610. However, the board has determined that the proposed regulation will not affect small businesses. While some community pharmacies may be considered a small business, B&P section 4113.5(b)(4) exempts a pharmacy owned by a person or persons who own fewer than four pharmacies in California, which would likely exempt a community pharmacy that is considered a small business.

Additionally, there are approximately 750 vendors statewide who provide fingerprinting services. There should be no initial or ongoing cost impact upon the vendors because they are already equipped to provide the service and any necessary fingerprinting will be minor and completed randomly.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/New Businesses:

The board concludes that:

- (1) this proposal will not create jobs within California;
- (2) this proposal will not eliminate jobs within California;
- (3) this proposal will not create new businesses within California;
- (4) this proposal will not eliminate existing businesses within California;
- (5) this proposal will not expand businesses currently doing business in the State of California.

Benefits of Regulation:

The board has determined that this regulatory proposal benefits the health and welfare of California residents and worker safety. This regulatory proposal benefits the health and welfare of California residents, as well as benefiting employee safety. The proposed regulation will ensure that the pharmacist is aware of the designated person assigned to assist them, should help be needed. This will ensure the pharmacist can provide more complete patient-centered care, which will benefit the health and welfare of California residents. Additionally, this will improve employee safety by ensuring that the staff that are responsible for aiding the pharmacist are aware of the requirements and receive appropriate training for working within the pharmacy. The proposed regulation will not impact the state’s environment.

CONSIDERATION OF ALTERNATIVES

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

Any interested person may present statements or arguments in writing relevant to the above determinations

at the address listed for the Contact Person during the written comment period.

INITIAL STATEMENT OF
REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board of Pharmacy at 2720 Gateway Oaks Drive, Suite 100, Sacramento, California 95833, or from the Board of Pharmacy's website at <http://www.pharmacy.ca.gov>.

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

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

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

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name:

Lori Martinez

Address:

2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833

Phone Number:

(916) 518-3078

Fax Number:

(916) 574-8618

E-Mail Address:

Lori.Martinez@dca.ca.gov

The backup contact person is:

Name:

Debbie Damoth

Address:

2720 Gateway Oaks Drive, Suite 100
Sacramento, CA 95833

Phone Number:

(916) 518-3090

Fax Number:

(916) 574-8618

E-Mail Address:

Debbie.Damoth@dca.ca.gov

WEBSITE ACCESS

Materials regarding this proposal can be found at the Board of Pharmacy's website: www.pharmacy.ca.gov.

**TITLE 16. DENTAL BOARD OF
CALIFORNIA**

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

Department of Consumer Affairs

**2005 Evergreen Street, 1st Floor Hearing Room
Sacramento, California 95815**

Tuesday, April 14, 2020

10:00 a.m.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than Monday, April 13, 2020 or must be received by the Board at the hearing. The Board upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 1614 of the Business and Professions Code, and to implement,

interpret or make specific sections 125.9 and 148 of the Code, the Board is considering changes to Division 10 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST

A. Informative Digest

The Dental Board of California (Board) regulates approximately 82,000 licensees; consisting of 35,000 dentists (DDS), 30,000 registered dental assistants (RDA), and 1,500 registered dental assistants in extended functions (RDAEF). In addition, the Board has the responsibility for setting the duties and functions of approximately 50,000 unlicensed dental assistants. The Board’s highest priority is the protection of the public when exercising its licensing, regulatory, and disciplinary functions. The primary methods by which the Board achieves this goal are: issuing licenses to eligible applicants; investigating complaints against licensees and disciplining licensees for violations of the Dental Practice Act (DPA); monitoring licensees whose licenses have been placed on probation; and managing the Diversion Program for licensees whose practice may be impaired due to abuse of dangerous drugs or alcohol.

The Board’s Executive Officer is authorized to issue a citation and administrative fine to any person who holds a license or permit, or certificate issued by the Board for a violation of any provision of the Dental Practice Act or other law enforced by the Board.

Existing regulation at California Code of Regulations, title 16, section 1023.2 (16 CCR 1023.2) defines the penalties applicable to Class “A” and Class “B” violations. The regulation provides that a Class “A” violation is subject to an administrative fine in an amount not less than \$1,000 and not exceeding \$2,500 for each violation, and a Class “B” violation is subject to an administrative fine in an amount not less than \$50 and not exceeding \$2,500.

This proposal would increase the maximum fines for each violation to \$5,000 for each violation.

Existing regulation at 16 CCR section 1023.7 provides for an administrative fine between \$50 to \$2,500 for unlicensed practice.

This proposal would increase the maximum fine for each violation to \$5,000 for each violation.

B. Policy Statement Overview/Anticipated Benefits of Proposal

Existing law, Business and Professions Code section 1614, specifies that the Board is authorized to adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable the Board to carry into effect the provisions of the Dental Practice Act.

Existing law, Business and Professions Code section 1601.2, establishes the Board’s highest priority, which is the protection of the public when the Board exercises its licensing, regulatory, and disciplinary functions.

The Board has determined that the current fine maximum fine amounts of \$2,500 are insufficient to properly function as deterrents against violations of statutes and regulations or unlicensed practice of dentistry. Therefore, this proposal seeks to increase the maximum fine the Executive Officer may issue for a violation of any provision of the Dental Practice Act or other law enforced by the Board to \$5,000.

It is necessary to increase the maximum amount of a fine that the Board may assess when it issues citations for the protection of the public’s health and wellbeing. When a licensee is found to have violated the DPA or the Board’s regulations, disciplinary proceedings may be initiated by the Board, which would require the case to be referred to the Office of the Attorney General (OAG) for prosecution. This can be costly for not only the licensee to obtain legal representation, but for the Board as well because it would be required to pay to the OAG all costs associated with prosecuting the case. The Board would also incur costs to have the case investigated. Although the Board might be reimbursed for its costs when a disciplinary decision is rendered in its favor pursuant to Business and Professions Code section 125.3, many licensees cannot afford to reimburse the Board. In many cases, licensees surrender their license, or if a decision revokes their license, the Board is not reimbursed until a licensee seeks to have a license reinstated. This greatly impacts the Board’s enforcement program.

Citations may be used when patient harm is not found (i.e., in a Class “B” violation), but the quality of care provided to the consumer is substandard. When issuing citations, the Board’s goal is not to be punitive. Rather, the Board seeks to protect California consumers by getting the subject dentist’s attention, re-educating him/her as to the DPA or the Board’s regulations, and emphasizing the importance of following dental practices that fall within the community’s standard of care.

When deciding whether to issue a citation, California Code of Regulations section 1023.4 requires that the executive officer consider the following factors when assessing the amount of an administrative fine:

- The good or bad faith exhibited by the cited person
- The nature and severity of the violation
- Evidence that the violation was willful
- History of violations of the same or similar nature
- The extent to which the cited person has cooperated with the Board

- The extent to which the cited person has mitigated or attempted to mitigate any damage or injury caused by his or her violation
- Such other matters as justice may require.

The Board has expanded its use of citations and fines to address a wider range of violations that can be more efficiently and effectively addressed through a cite and fine process with abatement and/or remedial education outcomes.

Examples of “lesser” violations of the DPA that may not warrant referral to the OAG, but where a citation and fine may be more appropriate, include documentation issues, e.g., recordkeeping, advertising violations, failure to keep up with continuing education requirements, unprofessional conduct for the failure to disclose or report convictions, e.g., driving under the influence, and disciplinary actions taken by another professional licensing entity. In addition, citations are a tool to address less egregious violations that would not otherwise result in discipline. Moreover, citations can address skills and training concerns promptly.

The average number of days to complete a case that has been referred to the OAG for disciplinary action has continued to increase from 1645 days in 2015/16 to 1863 days in 2017/18 (over 13 percent). By issuing a citation and fine, the Board is providing the licensee with an easier path to resolution and obtaining swift compliance. The Board has determined that the fine amount plays an important role in deterring future violations of the DPA and the Board’s regulations and the unlicensed practice of dentistry. In the most egregious of cases that do not warrant formal discipline, or in the case of unlicensed practice, a citation with a fine amount of \$5,000 would carry with it a deterrent factor that would far exceed that of a fine in the amount of \$2,500. This assists the Board in meeting its obligation to protect consumers when citations with a fine are issued.

ANTICIPATED BENEFITS

The Board’s highest priority is the protection of the public while exercising its licensing, regulatory, and disciplinary functions. The Board has determined that the current fine maximum fine amounts of \$2,500 are insufficient to properly function as deterrents against violations of statutes and regulations. Therefore, the Board seeks to increase the maximum fine the Executive Officer may issue for a violation of any provision of the Dental Practice Act or other law enforced by the Board. This regulatory change will better enable the Board to perform its duty to protect the public. Additionally, this proposal will provide the Board with an enforcement tool that is able to act as a deterrent against licensees that violate the Dental Practice Act.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

After conducting a review for any regulations that would relate to or affect this area, the Board has evaluated this regulatory proposal and it is not inconsistent or incompatible with existing state regulations. The Board is the only state entity that regulates the practice of dentistry and is the only authority that can issue citations and fines on a licensed dentist within the state.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: Assuming the administrative fine collection will double, this proposal would result in the Board receiving an additional \$36,000 per year from citations and fines.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

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

Business Impact:

The Board has made the initial determination that the proposed regulation 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, because the regulations pertain to the Board’s enforcement of the Dental Practice Act and its regulations. This determination is based on the fact that the proposal only affects persons found to be in violation of the Board’s statutes and regulations. For example, a person may be issued a citation and administratively fined for violations which the executive officer has determined involves a person who has violated a statute or regulation relating to the practice of dentistry which does not present a substantial probability that either death or serious physical harm to a patient will result therefrom.

A business owned by a licensee who is facing a citation due to a violation of the DPA or the Board’s regulations may incur a fiscal impact as it relates to costs associated with payment of the fine. The Board does not maintain data relating to the number or percentage of licensees who own a business; therefore, the number or percentage of businesses that may be impacted cannot be predicted. The Board only has the authority to issue a citation that includes a fine for unlicensed practice or to a licensee and not a business. Accordingly, the initial or ongoing costs for a small business owned by a licensee who is facing a citation with a fine cannot be projected. Businesses operated by licensees who are in compli-

ance with the DPA and the Board's regulations will not incur any fiscal impact.

The rulemaking file includes the facts, evidence, documents, testimony, and/or other evidence which supports this determination.

Cost Impact on Representative Private Person or Business:

This proposal would have a minor fiscal impact on individual licensees of the Board who have been issued a citation with an administrative fine. Though these regulations pertain to the Board's internal enforcement procedures, a citation against a license or person for unlicensed practice will result in costs associated with payment. The average salary of a DDS in California is approximately \$150,000 per year and the annual salary of a registered dental assistant in California is approximately \$35,000 per year. Licensees who are in compliance with the Board's statutes and regulations will not incur any fiscal impact. With respect to persons who are issued a citation with a fine for unlicensed practice, the Board is unable to speculate who might engage in such practice. Therefore, the fiscal impact on such persons is unknown.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses. Although small businesses owned by licensees of the Board and small businesses that employ licensees of the Board may be impacted, the Board estimates that the fiscal impact would be minor and absorbable. The Board does not maintain data relating to the number or percentage of licensees who own a small business; therefore, the number or percentage of small businesses that may be impacted cannot be predicted.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The Board has made the initial determination that the proposed regulation would not have a significant, statewide adverse economic impact directly affecting business. The proposal will not create or eliminate jobs in the State. It will not cause an expansion of businesses currently operating in the state. The proposal will not affect the ability of California businesses to compete with businesses in other states, because the regulations pertain to the Board's enforcement of the Dental Practice Act and its regulations.

Benefits of Regulation:

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

The proposed increase in the maximum amount for citations and fines helps the Board fulfill its highest priority: protection of the public when exercising its licensing, regulatory, and disciplinary functions so this will promote the health and welfare of California residents.

CONSIDERATION OF ALTERNATIVES

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

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

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board at 2005 Evergreen Street, Suite 1550, Sacramento, California 95815 or by accessing the Board's website at <http://www.dbc.ca.gov/laws/regs/index.shtml>.

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

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

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

CONTACT PERSON

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

Name:

Gabriel Nevin, Legislative and Regulatory Analyst

Address:

Dental Board of California
2005 Evergreen Street, Suite 1550
Sacramento, CA 95815

Telephone Number:

(916) 263-2027

Fax Number:

(916) 263-2140

E-Mail Address:

gabriel.nevin@dca.ca.gov

The backup contact person is:

Name:

Steve Long, Budget Analyst

Address:

Dental Board of California
2005 Evergreen Street, Suite 1550
Sacramento, CA 95815

Telephone Number:

(916) 263-0967

Fax Number:

(916) 263-2140

E-Mail Address:

steve.long@dca.ca.gov

Website Access: Materials regarding this proposal can be found at the Board's website at <http://www.dbc.ca.gov/lawsregs/index.shtml>.

**TITLE 22. DEPARTMENT OF TOXIC
SUBSTANCES CONTROL**

**SAFER CONSUMER PRODUCTS
REGULATIONS — Listing Carpets and Rugs
Containing Perfluoroalkyl or Polyfluoroalkyl
Substances as a Priority Product
Department of Toxic Substances Control reference
number: R-2019-02**

NOTICE IS HEREBY GIVEN that the Department of Toxic Substances Control (DTSC) proposes to

amend the California Code of Regulations, title 22, division 4.5, chapter 10, section 66260.11 and chapter 55, section 69511, and adopt section 69511.4. This proposed amendment pertains to identification of a Priority Product under the Safer Consumer Products (SCP) regulations, approved by the Office of Administrative Law (OAL) and filed with the Secretary of State on August 28, 2013 (effective date: 10/01/2013; OAL Regulatory Action Number: 2013-0718-03).

PUBLIC HEARING

DTSC will hold a public hearing on the proposed regulation at the following time and location:

DATE:

April 13, 2020

TIME:

9:00 a.m.-1:00 p.m.

LOCATION:

CalEPA Building, Sierra Hearing Room
1001 "I" Street
Sacramento, California, 95814

When the hearing convenes any person(s) may present statements or arguments, orally or in writing, relevant to this proposal. The public hearing will begin at 9:00 a.m. and will remain open until 1:00 p.m. or until all registered persons complete their testimony.

Representatives of DTSC will preside at the hearing. Anyone wishing to speak must register before the hearing. Pre-hearing registration is conducted at the location of the hearing from 8:45 a.m. until the hearing commences. Registered persons will be heard in the order of their registration. Anyone else wishing to speak at the hearing will have an opportunity after all registered persons have been heard. DTSC reserves the right to set time limits to ensure that everyone has an opportunity to speak.

All visitors are required to sign in prior to attending any meeting at the Visitor and Environmental Services Center, located just inside and to the left of the building's public entrance. Please allow adequate time to sign in and receive a visitor badge before the public hearing begins.

**NOTICE PERTAINING TO ACCESSIBILITY AND
REASONABLE ACCOMMODATION**

All documents related to these regulations can be made available in alternate format (i.e., Braille, large print, etc.) or in another language, as requested, in accordance with State and Federal law. Further, to ensure the public has equal access to all available services and information, DTSC will provide disability-related reasonable accommodations and/or translator/interpreter

needs, upon request. For assistance, please contact the staff person below as soon as possible, no later than 10 business days prior to the scheduled hearing.

Ms. Jackie Buttle
Office of Legislation and Regulatory Review
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806
Fax Number: (916) 324-1808
TTY/TDD/Speech-to-Speech users may
dial 7-1-1 for the California Relay Service.

WRITTEN COMMENT PERIOD

Any interested person(s) or their authorized representative(s) may submit written comments relevant to the proposed regulatory action to DTSC in either electronic or hard-copy formats. Written comments may be submitted electronically through the SCP Information Management System, CalSAFER at: <https://calsafers.dtsc.ca.gov/>. Please direct questions or concerns about CalSAFER to Simona Balan at 510-540-3888 or simona.balan@dtsc.ca.gov. While DTSC prefers that comments be submitted through the CalSAFER system, interested persons may also submit their comments in an email to: SaferConsumerProducts@dtsc.ca.gov.

Written comments may also be submitted electronically through the DTSC regulations email address at regs@dtsc.ca.gov or please direct hard-copy written comments to Ms. Jackie Buttle, Regulations Coordinator, as specified above.

The written comment period will close on April 13, 2020. Only comments received at the DTSC office by that date and time will be considered. Any interested person(s) or their authorized representative(s) may submit written comments relevant to the proposed regulatory action to DTSC in either electronic or hard copy formats. DTSC will only consider comments received on or before this date and time or submitted during the public hearing.

AUTHORITY AND REFERENCE

Authority

This regulation is being adopted under the following authorities:

- Health and Safety Code (HSC) section 25252 authorizes and requires DTSC to adopt regulations to establish a process to identify and prioritize those chemicals or chemical ingredients in consumer products that may be considered a Chemical of Concern. This section also directs

DTSC to reference and use available information from various sources but does not limit DTSC to use only this information.

- HSC section 25253 authorizes and requires DTSC to adopt regulations that establish a process for evaluating Chemicals of Concern in consumer products, and their potential alternatives, to determine how best to limit exposure to or to reduce the level of hazard posed by a Chemical of Concern.
- HSC section 58012 (added by Government Reorganization Plan Number 1, section 146, effective July 17, 1991) grants DTSC authority to adopt regulations to execute its duties.

Reference

This regulation implements, interprets, or makes specific the following statutes:

- HSC sections 25252 and 25253.

INFORMATIVE DIGEST

Policy Statement Overview:

Sections Affected: DTSC proposes to amend sections 69511 and add one Priority Product to the Priority Product list (section 69511.4) in Article 11, Chapter 55, Division 4.5 of Title 22, of the California Code of Regulations.

Background and Effect of the Proposed Regulatory Action:

The SCP regulations were adopted in October 2013 to meet the statutory requirements outlined in HSC sections 25252 and 25253. The regulations outline a science-based process for evaluating Chemicals of Concern in consumer products and safer alternatives by:

- Establishing a list of Candidate Chemicals and specifying criteria by which these may be designated Chemicals of Concern;
- Establishing a process to identify and prioritize product and Candidate Chemical combinations that may be listed as Priority Products;
- Requiring manufacturers to notify DTSC when their product is listed as a Priority Product;
- Requiring manufacturers of a Priority Product to perform an Alternatives Analysis (AA) to determine how best to reduce exposures to, or the level of adverse public health or environmental impacts posed by, the Chemical(s) of Concern in the product;
- Requiring DTSC to identify and require implementation of Regulatory Responses following completion of an AA; and
- Creating a process for persons to petition DTSC to add chemicals to the Candidate Chemicals list, add

or remove Candidate Chemicals lists in their entirety, or to add or remove a product–chemical combination from the Priority Products List.

DTSC proposes to amend sections 66260.11 and 69511 and add section 69511.4 to Article 11 of the SCP regulations. The proposed action will add carpets or rugs containing any perfluoroalkyl and polyfluoroalkyl substances (PFASs) as a Priority Product on the Priority Products List.

This listing applies to any consumer product made from natural or synthetic fabric intended to be used as a floor covering inside commercial or residential buildings that contains any PFASs. This includes carpeted door mats because they are also used inside buildings. This listing excludes the following:

- Carpets and rugs intended solely for outdoor use;
- Carpets and rugs intended solely for use inside airplanes, trains, automobiles, light duty trucks, vans, buses, or any other vehicles, as well as light duty trucks, vans, buses, or any other vehicles;
- Carpets and rugs intended for use in any other indoor environments besides buildings;
- Resilient floor coverings;
- Artificial turf;
- Wall hangings and coverings;
- Table mats; and
- Camping sleeping mats.

Following extensive review of the scientific literature and analysis of the known hazard traits of PFASs, DTSC determined there is potential for the vast majority of California consumers including infants, school children, and pregnant women and their developing fetuses to be exposed to PFASs while in their carpeted homes, offices, buildings, stores, and classrooms for prolonged periods of time daily. These exposures have the potential to contribute to or cause significant adverse health impacts including carcinogenicity, cardiovascular toxicity, developmental toxicity, endocrine toxicity, hepatotoxicity, immunotoxicity, nephrotoxicity, ocular toxicity, and reproductive toxicity. In addition, PFASs are known to be environmentally persistent, bioaccumulative, highly mobile in the environment, can be transported long distances, and undergo lactational and transplacental transfer in humans and animals. DTSC based this determination on an evaluation of an abundance of publicly available, reliable scientific information pertinent to the regulatory criteria.

Benefits of the Proposed Regulatory Action:

A primary goal of the SCP regulations is to mitigate widespread adverse health and environmental impacts of PFASs in commerce, as well as the overall costs of these impacts to the State of California. By listing carpets or rugs containing any PFASs as a Priority Product,

DTSC encourages manufacturers to evaluate whether PFASs are necessary in carpets and rugs or whether there are functionally safer alternatives that would reduce human exposure to PFASs during manufacturing, use, and post–consumer recycling or disposal of carpets and rugs containing PFASs. Reduction in PFASs in consumer products and the environment means healthier ecosystems, safer homes, offices, schools, workplaces, and a more sustainable environment, with cleaner drinking water and air. Reducing exposure to PFASs could reduce the prevalence of elevated serum concentrations of PFASs in the general population of California, and its associated potential for adverse health effects. Expanded use and development of new, safer alternatives benefits California’s entire population and environment.

Another primary goal of SCP regulations is to protect public health by reducing exposures to potentially harmful chemicals. By listing carpets and rugs containing any PFASs as a Priority Product, DTSC sets in motion a strategy to reduce human exposure to PFASs from the manufacturing, use, and end–of–life of this product category. A reduction in exposure to PFASs could benefit the health of California’s residents and wildlife. The development of safer alternatives benefits California workers, consumers, employers, and environment.

DTSC cannot pre–determine the alternatives that each manufacturer will propose; therefore, it is impossible to accurately predict or quantify the full range of potential benefits associated with their development. DTSC will maximize the use of alternatives of least concern and give preference to those that provide the greatest level of inherent protection. In general, economic benefits to California workers and business owners may include expanded employment opportunities in the fields of consulting, worker and consumer education, and marketing. Additional benefits may accrue because of increased research and product development collaboration between manufacturers and California–based research entities. Institutional and corporate financial support of chemical and material science programs focused on developing safer alternatives to PFASs could advance the field. These research initiatives could provide manufacturers with employees that are highly skilled in the research and design of products for newly emerging global markets.

Existing Laws and Regulations:

The SCP regulations established a unique approach to regulating Chemicals of Concern in consumer products that grants DTSC authority to take actions to protect people and the environment when such actions are outside the scope of other regulatory programs. There are no equivalent federal or state regulations that require product manufacturers to determine if the chemi-

cal in their product is necessary and whether there is a safer alternative, with the goal of protecting consumers and the environment from adverse effects associated with a product throughout its lifetime.

As a class, PFASs are not currently regulated by the Consumer Product Safety Commission (CPSC), the Food and Drug Administration (FDA), or the Occupational Safety and Health Administration (OSHA), nor by any other state agencies. The United States Environmental Protection Agency (U.S. EPA) took some limited regulatory actions on a small number of PFASs (see below), but the proposed regulation does not duplicate or conflict with any of these regulations, which are discussed below.

U.S. EPA’s Limited Regulatory Actions on PFASs:

Section 5 of Toxic Substances Control Act (TSCA) authorizes U.S. EPA to issue Significant New Use Rules (SNURs) for new or existing chemicals used in a significant new way. A SNUR requires companies to notify U.S. EPA at least 90 days prior to manufacturing, importing, or processing substances for a significant new use, and submit a notification including information about the chemical’s identity, physical characteristics, processing and use, and available toxicity data. U.S. EPA has 90 days to evaluate the new use and can request more data, prohibit or limit the manufacture, or allow the use. The following SNURs are related to PFASs:

- A SNUR was issued regarding any future manufacture (including imports) of 75 PFASs specifically included in the 2000–2002 voluntary phaseout of perfluorooctane sulfonic acid (PFOS) by the 3M Company on December 9, 2002;
- A SNUR was issued regarding any future manufacture (including imports) of 13 PFASs specifically included in the 2000–2002 voluntary phaseout of PFOS by 3M on March 11, 2002;
- A SNUR was issued for 183 PFASs believed to no longer be manufactured, imported, or used in the United States on October 9, 2007;
- A SNUR was issued requiring companies to report their intent to manufacture certain perfluorooctanoic acid (PFOA)–related chemicals to treat carpets, and to import carpets containing these PFASs on September 30, 2013; and
- A proposed SNUR was published affecting manufacturers (including importers) of PFOA and PFOA–related chemicals, including as part of articles, and processors of these chemicals on January 21, 2015; this has not been finalized.

In 2006, U.S. EPA developed a 2010/2015 Stewardship Program for reducing emissions of PFOA, its precursors, and related higher homologues (U.S. EPA

2010). Through a Memorandum of Understanding (MOU) with U.S. EPA, eight major U.S. manufacturers agreed to voluntarily eliminate PFOA in their emissions and products by 2015. Participating companies include: Arkema, Asahi, BASF Corporation, Clariant, Daikin, 3M/Dyneon, DuPont, and Solvay Solexis.

Since 2000, U.S. EPA has been reviewing hundreds of substitutes for PFOA, PFOS, and other longer–chain PFASs, particularly regarding their toxicity, fate, and bioaccumulation under the New Chemicals Program. For many PFASs, U.S. EPA has been using TSCA section 5(e) Consent Orders to require testing while allowing production and use. U.S. EPA is also investigating substitutes for certain direct uses of PFOA. On January 27, 2010, U.S. EPA amended the Polymer Exemption Rule for new chemicals under TSCA to exclude certain side–chain fluorinated polymers, due to potential risk to human health or the environment.

Related State Laws and Regulations:

No California state laws or regulations currently address the use of PFASs in carpets and rugs. However, a few current laws apply to carpet recycling.

California AB 2398 was signed into law September 30, 2010 to increase the diversion and recycling of carpet in the state of California. The law generates funding to meet its goals through an assessment on each square yard of carpet sold in California. It does not address the use of PFASs in carpets and rugs.

California AB 1158 was signed into law October 14, 2017, setting a goal for the state to achieve a 24 percent recycling rate for postconsumer carpet by January 1, 2020, and to meet and exceed that rate continually thereafter. It requires a carpet stewardship plan to achieve 24 percent recycling rate for postconsumer carpet by January 2020, and quantifiable 5–year and annual goals. It does not address the use of PFASs in carpets and rugs.

Therefore, these proposed regulations will not be inconsistent or incompatible with existing state laws or regulations.

Comparable Federal Regulation or Statute:

This regulation is not based on, identical to, or in conflict with any federal regulations.

**OTHER APPLICABLE REQUIREMENTS
PRESCRIBED BY STATUTE**

California Environmental Quality Act (CEQA) Compliance

DTSC has determined that this rulemaking would be exempt from CEQA (Public Resources Code Section 21000, et seq.) under the “general rule” or “common sense” exemption outlined in California Code of Regulations, title 14, section 15061(b)(3). A draft Notice of Exemption (NOE) is available for review during the

public comment period upon request and will be filed with the State Clearinghouse if the regulation is finalized.

California Environmental Policy Council Review

Under the provisions of HSC section 25252.5, the California Environmental Policy Council (CEPC) reviewed the framework SCP regulations prior to their adoption in October 2013 (the CEPC Resolution may be viewed at: <http://www.calepa.ca.gov/cepc/>). Under HSC Section 25252.5(f), the CEPC determined that the proposed regulations would not have any significant adverse impact on public health or the environment and could be adopted by DTSC without undergoing a multimedia life cycle evaluation.

DTSC determined that further review by the CEPC is not warranted for this rulemaking because the requirements of HSC section 25252.5 apply only to the creation of the SCP program and not regulations that may be required to implement this program.

Peer Review

DTSC requested an external scientific peer review of the scientific basis of the proposed regulation pursuant to Health and Safety Code section 57004. The result of the external scientific peer review is posted to DTSC’s rulemaking website at: <https://dtsc.ca.gov/regs/>.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

DTSC has determined that adoption of this regulation will not impose a local mandate or result in costs subject to state reimbursement pursuant to part 7 of division 4, commencing with section 17500, of the Government Code or other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO STATE OR LOCAL AGENCIES, OR SCHOOL DISTRICTS SUBJECT TO REIMBURSEMENT

DTSC determined that adoption of this regulation will not result in costs or savings for any local agency or school district required to be reimbursed pursuant to Part 7 of Division 4, commencing with section 17500 of the Government Code, or other nondiscretionary costs or savings imposed on local agencies.

Costs or Savings to Any State Agency:

DTSC will absorb additional costs associated with reviewing Notifications, Abridged AA Reports, or two-stage AA Reports submitted by manufacturers of carpets and rugs containing any PFASs by reallocating staff to this new task. DTSC estimates that the total fiscal costs to state government for reviewing all Notifica-

tions, Abridged AA Reports, and two-stage AA reports submitted by manufacturers will range from \$3,290,000 to \$11,590,000.

Local Agencies:

DTSC determined that adoption of this regulation will not impose a local mandate or result in costs or savings for any local agency subject to reimbursement pursuant to Part 7 of Division 4, commencing with section 17500, of the Government Code or other nondiscretionary costs or savings to local agencies.

School Districts:

DTSC determined that adoption of this regulation would not result in costs or savings for any school district required to be reimbursed pursuant to Part 7 of Division 4, commencing with section 17500 of the Government Code.

Federal Funding to the State:

DTSC determined that adoption of this regulation will not result in cost or savings in federal funding to the state. DTSC determined that no fiscal impact to federal funding or state programs exists.

DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT

DTSC determined the proposed regulatory action has no significant statewide adverse economic impact directly affecting business. Following a review of available carpets and rugs market data and survey of affected manufacturers and industry organizations, DTSC determined the proposed regulation is not a major regulation and is unlikely to have a significant adverse impact on business.

Types of Businesses Affected: Manufacturers of carpets and rugs containing any PFASs have the principal duty to comply with the notification and reporting requirements.

Projected Reporting, Recordkeeping, or other Compliance Requirements: In accordance with Government Code sections 11346.3(c) and 11346.5(a)(11), DTSC found that the reporting requirements of the proposed regulatory action, which apply to businesses, are necessary for the health, safety, and welfare of the people of the State of California. The specific reporting requirements and forms are:

- Priority Product Notification [section 69503.7]
- Removal/Replacement Notifications:
 - Chemical of Concern Removal Intent Notification [section 69505.2]
 - Chemical of Concern Removal Confirmation Notification [section 69505.2]
 - Product Removal Intent Notification [section 69505.2]

- Product Removal Confirmation Notification [section 69505.2]
- Product–Chemical Replacement Intent Notification [section 69505.2]
- Product–Chemical Replacement Confirmation Notification [section 69505.2]
- Product Cease Ordering Notification [section 69501.2(b)(2)(B)]
- AA Notifications and Reports:
 - AA Threshold Notification [section 69505.3]
 - AA Extension [section 69505.1(c)]
 - Preliminary AA Report [section 69505.4(a)(2), section 69505.5, section 69505.1(b)(2)(A), section 69505.7]
 - Final AA Report [section 69505.4(a)(3), section 69505.6, section 69505.1(b)(2)(B), section 69505.7]
 - Abridged AA Report [section 69505.4(b)]
 - Alternate AA Work Plan [section 69505.4(c)]
 - Previously completed AA [section 69505.4(d)]

The reports and forms that will be submitted by a manufacturer depend on several factors including the Priority Products produced, the availability of viable alternatives, and business decisions made by the manufacturer.

The reporting requirements applicable to manufacturers may be fulfilled by a consortium, trade association, public–private partnership, or other entity acting on behalf of, or in lieu of, one or more manufacturer. This does not apply to the Priority Product Notification or AA Threshold Exemption Notification requirements [section 69501.2(a)(2)].

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

- i. The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.
- ii. Consolidation or simplification of compliance and reporting requirements for businesses.
- iii. The use of performance standards rather than prescriptive standards.
- iv. Exemption or partial exemption from the regulatory requirements for businesses.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

DTSC estimates the cumulative cost for all California–based manufacturers of carpets and rugs containing any PFASs to submit Priority Product Notifications and AA Reports and to respond to DTSC’s reviews of these submittals to be from \$2,259,200 to \$6,099,200. DTSC relied on a variety of sources, such as U.S. Census Bureau County Business Patterns and D and B Hoovers databases, to estimate the number of manufacturers potentially impacted by this proposed regulation. From these data sources, DTSC estimates there are 20 manufacturers of carpets and rugs containing PFASs in California that would be impacted by this proposed regulation.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Creation of New Businesses or Elimination of Existing Businesses:

DTSC determined that it is:

- Unlikely that this proposal will eliminate or create businesses or jobs in manufacturing of carpets and rugs;
- Possible that this proposal could create an unknown number of businesses to assist manufacturers of carpets and rugs containing PFASs in meeting regulatory obligations including consulting services, chemical and material science research services, and product development support;
- Possible that this proposal could create an unknown number of public or private sector jobs in consulting services, product research and design, chemical and material science research and support and marketing.

Expansion of Businesses Currently doing Business:

DTSC determined that it is possible that this proposal could result in the expansion of businesses currently doing business within the state, particularly those engaged in regulatory consulting services, chemical and material science research and support, product research and design and marketing.

Effect on Housing Costs:

DTSC has made a determination that the proposed regulation will have no significant effect on housing costs.

Effect on Small Businesses:

DTSC made an initial determination that the adoption of this regulation may affect small businesses. DTSC estimates that 17 of the 20 potentially impacted manufacturers are small businesses. Costs to submit Priority

Product Notifications and AA Reports are expected to be the same for all impacted businesses. Moreover, DTSC estimates that it will take each manufacturer a maximum of 16 hours at \$60/hour to complete a Priority Product Notification, or a total of \$960. DTSC estimates that the cost to each manufacturer for the Priority Product Notification, AA report, and responding to DTSC's AA report review will be \$112,960 to \$182,960 for an Abridged AA (Table 1a), and \$139,960 to \$304,960 for a two-stage AA (Table 1b). DTSC expects costs to individual manufacturers to be lower if they form a consortium and submit a combined AA. These are one-time notification and reporting requirements that manufacturers are expected to complete within one year of adoption of the proposed regulation; therefore, there are no ongoing costs.

Benefits of the Regulation on the Health and Welfare of California Residents, Worker Safety, and the State's Environment:

DTSC made an initial determination that the adoption of these regulations may positively affect the health and welfare of California residents, worker safety, and the State's environment. A reduction in exposure to PFASs could benefit the health of California's residents and wildlife. The development of safer alternatives benefits California workers, consumers, employers, and the environment. DTSC cannot predetermine the alternatives that each manufacturer will propose; therefore, it is impossible to accurately predict or quantify the full range of potential benefits associated with their development. DTSC will maximize the use of alternatives of least concern and give preference to those that provide the greatest level of inherent protection. In general, economic benefits to California workers and business owners may include expanded employment opportunities in the fields of consulting and marketing. Additional benefits may accrue because of increased research and product development collaboration between manufacturers and California-based research facilities. Institutional and corporate financial support of chemical and material science programs focused on developing safer carpet and rug protective treatments could advance the field. These research initiatives could provide manufacturers with employees that are highly skilled in the research and design of products for newly emerging global markets.

CONSIDERATION OF ALTERNATIVES

DTSC must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of DTSC would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to

affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

CONTACT PERSONS

Inquiries regarding technical aspects of the proposed regulation or CEQA documents may be directed to Simona Balan of DTSC at 510-540-3888 or, if unavailable, Nancy Ostrom of DTSC at 916-445-3077. However, such oral inquiries are not part of the rulemaking record.

A public comment period for the rulemaking has been established commencing on February 28, 2020 and closing on April 13, 2020. Statements, arguments, or contentions regarding the rulemaking and/or supporting documents must be submitted in writing or presented orally or in writing at the public hearing in order for them to be considered by DTSC before it adopts, amends, or repeals these regulations.

DTSC will accept statements, arguments or contentions, and/or supporting documents regarding this rulemaking submitted in writing either through CalSAFER or by mail, or they may be presented orally or in writing at the public hearing.

AVAILABILITY OF TEXT OF PROPOSED REGULATIONS, INITIAL STATEMENT OF REASONS, AND OTHER RULEMAKING DOCUMENTS

Copies of the Notice of Proposed Action, Initial Statement of Reasons, all the information upon which this proposal is based, and the express terms of the proposed regulation (also known as the proposed regulatory text) are posted to DTSC's Internet website at <https://dtsc.ca.gov/regs/>.

After the close of the comment period, DTSC may adopt the proposed regulation. If substantial, sufficiently related changes are made to the regulatory text, the modified full text (with the changes clearly indicated) will be made available for comment for at least 15 days prior to adoption. Only persons who request the specific proposed regulation, attend the hearing, or provide written comments on this specific regulation will be sent a copy of the modified text if substantial, sufficiently related changes are made.

Once DTSC finalizes the regulatory text, DTSC will prepare a Final Statement of Reasons that updates the Initial Statement of Reasons, summarizes how DTSC addressed comments, and includes other materials. A copy of the Final Statement of Reasons will also be posted on DTSC's Internet site at <https://dtsc.ca.gov/regs/>, along with the date the rulemaking is filed with

the Secretary of State and the effective date of the regulation.

ALL OTHER
QUESTIONS/COMMENTS/INQUIRIES/UPDATES

Please direct all written comments, procedural inquiries, and requests for documents by mail, e-mail, or fax to Ms. Jackie Buttle, Regulations Coordinator, as specified above. To be included in this regulation package's mailing list and to receive updates of this rulemaking, please visit <https://dtsc.ca.gov/dtsc-e-lists/> and subscribe to the applicable E-List or e-mail: regs@dtsc.ca.gov.

GENERAL PUBLIC INTEREST

**DEPARTMENT OF
FISH AND WILDLIFE**

**PROPOSED RESEARCH FOR A
FULLY PROTECTED SPECIES
Research on the Blunt-nosed
Leopard Lizard (*Gambelia sila*)**

The Department of Fish and Wildlife (Department) received a proposal on August 7, 2019, from Dr. Brian Cypher requesting an amendment to his Memorandum of Understanding (MOU) that authorized take of the Blunt-nosed Leopard Lizard (*Gambelia sila*) ('BNLL') for scientific research purposes consistent with conservation and recovery of the species. The BNLL is a Fully Protected reptile and is also listed as Endangered under the California and federal Endangered Species Acts.

Dr. Cypher is the Associate Director and Research Ecologist at the Endangered Species Recovery Program at California State University, Stanislaus. He has been involved in studying BNLL for over 20 years. His previous MOU authorized (1) conducting capture mark recapture (CMR) surveys for BNLL population demography studies (2) collecting tissue samples for genetic analyses, and (3) x-raying gravid females for reproductive ecology data.

Dr. Cypher is proposing to include marking using passive integrated transponder (PIT) tags during CMR surveys, as well as additional activities deemed necessary for the recovery of the species and consistent with the Recovery Plan for Upland Species of the San Joaquin Valley. These may include radio telemetry; conducting focused research experiments, such as investigating climate change adaptation; head starting

and captive breeding; and translocation. He is requesting authorization to conduct research on BNLL throughout the species' range in accordance with methods approved by the Department and the U.S. Fish and Wildlife Service (Service).

The Department intends to issue, under specified conditions, an MOU to authorize qualified wildlife researchers, with Dr. Cypher as the Principal Investigator, to carry out the proposed activities. Dr. Cypher and the researchers are also required to have a valid federal recovery permit for the BNLL, and a scientific collecting permit (SCP) to take other terrestrial species in California.

Pursuant to California Fish and Game Code (FGC) Section 5050(a)(1), the Department may authorize take of Fully Protected reptile species after a 30 days' notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 5050 for take of Fully Protected reptiles, it would issue the MOU on or after March 30, 2020, for an initial and renewable term of up to, but not to exceed, five years.

Contact: Laura Patterson, Laura.Patterson@wildlife.ca.gov, 916-373-6633.

**DEPARTMENT OF
FISH AND WILDLIFE**

**PROPOSED RESEARCH FOR
FULLY PROTECTED SPECIES
Research on the Blunt-nosed
Leopard Lizard (*Gambelia sila*)**

The Department of Fish and Wildlife (Department) received a proposal on February 13, 2020, from Dr. Rory Telemeco requesting authorization to take the Blunt-nosed Leopard Lizard (*Gambelia sila*) ('BNLL') for scientific research purposes consistent with conservation and recovery of the species. The BNLL is a Fully Protected reptile and is also listed as Endangered under the California and federal Endangered Species Acts.

Dr. Telemeco is an Assistant Professor in Biology at California State University, Fresno, with extensive experience conducting research on lizards. His Master's thesis and PhD dissertation research were on lizard ecology, and he has authored or co-authored over 20 publications on reptile reproductive and thermal ecology. His proposed research is entitled "Investigating population dynamics, life history, nesting, and development of Blunt-Nosed Leopard Lizards (*Gambelia sila*) to inform management." He is requesting authorization to conduct research on BNLL throughout the species' range, focusing on the northern-most population in the

Panoche Plateau of San Benito and Fresno counties, in accordance with methods approved by the Department and the U.S. Fish and Wildlife Service (Service).

Dr. Telemeco's proposed research includes the following components: (1) monthly mark recapture surveys to develop a life-table for the Panoche Hills BNLL population; (2) ultrasound examination of gravid females to assess reproductive status, number of eggs, and developmental status; (3) radio tracking females to their nesting locations; (4) opening subterranean nests to insert data loggers and measure eggs; and (5) collecting eggs and incubating them in the laboratory to describe effects of the natural environment on offspring survival and phenotype. This research can help accomplish some BNLL recovery actions described in the Recovery Plan for Upland Species of the San Joaquin Valley.

The Department intends to issue, under specified conditions, an MOU to authorize qualified wildlife researchers, with Dr. Telemeco as the Principal Investigator, to carry out the proposed activities. Dr. Telemeco and the researchers are also required to have a valid federal recovery permit for the BNLL, and a scientific collecting permit (SCP) to take other terrestrial species in California.

Pursuant to California Fish and Game Code (FGC) Section 5050(a)(1), the Department may authorize take of Fully Protected reptile species after a 30 days' notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 5050 for take of Fully Protected reptiles, it would issue the MOU on or after March 30, 2020, for an initial and renewable term of up to, but not to exceed, five years.

Contact: Laura Patterson, Laura.Patterson@wildlife.ca.gov, 916-373-6633.

**DEPARTMENT OF
FISH AND WILDLIFE**

**PROPOSED RESEARCH FOR A
FULLY PROTECTED SPECIES
Research on the San Francisco Garter Snake
(*Thamnophis sirtalis tetrataenia*)**

The Department of Fish and Wildlife (Department) received a proposal on October 21, 2018, from Jill Grant requesting authorization to take the San Francisco Garter Snake (*Thamnophis sirtalis tetrataenia*) ('SFGS'), for scientific research purposes, consistent with conservation and recovery of the species. The snake is a Fully Protected reptile and is also listed as En-

dangered under the California and federal Endangered Species Acts.

Ms. Grant is requesting authorization to conduct surveys for SFGS presence, monitor existing populations, assist with habitat restoration, and salvage dead specimens throughout the species' range in San Mateo, San Francisco, Santa Clara, and Santa Cruz Counties, in accordance with methods approved by the Department and the U.S. Fish and Wildlife Service (Service).

The proposed research will use standard capture and handling methods. SFGS will be captured by hand, hand-held reptile stick, and by terrestrial trap lines (i.e., funnel traps and drift fencing). SFGS body measurements and photographs will be taken of each capture. If found, SFGS carcasses may be salvaged and the remains donated to a public scientific institution as designated by the Department and the Service.

Ms. Grant, and any others working under her permit that are deemed qualified by the Department for this purpose, would conduct the activities described above, in order to provide population, distribution, and habitat association information and assess efficacy of recovery efforts. No adverse effects on individual SFGS or SFGS populations are expected.

The Department intends to issue, under specified conditions, an MOU to authorize qualified professional wildlife researchers, with Ms. Grant as the Principal Investigator, to carry out the proposed activities. The researchers are also required to have a valid federal recovery permit for the snake, and a scientific collecting permit (SCP) to take other terrestrial species in California.

Pursuant to California Fish and Game Code (FGC) Section 5050(a)(1), the Department may authorize take of Fully Protected reptile species after a 30 days' notice has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 5050 for take of Fully Protected reptiles, it would issue the MOU on or after March 30, 2020, for an initial and renewable term of up to, but not to exceed, five years.

Contact: Laura Patterson, Laura.Patterson@wildlife.ca.gov, 916-373-6633.

**OCCUPATIONAL SAFETY AND
HEALTH STANDARDS BOARD**

**NOTICE OF PUBLIC MEETING AND BUSINESS
MEETING OF THE OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and

Health Standards Board of the State of California has set the time and place for a Public Meeting and Business Meeting:

PUBLIC MEETING:

On **April 16, 2020**, at 10:00 a.m.
in the Auditorium of the Harris State Building
1515 Clay Street, Oakland, California.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

BUSINESS MEETING:

On **April 16, 2020**, at 10:00 a.m.
in the Auditorium of the Harris State Building
1515 Clay Street, Oakland, California.

At the Business Meeting, the Board will conduct its monthly business.

DISABILITY ACCOMMODATION NOTICE:

Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the public hearings/meetings of the Occupational Safety and Health Standards Board should contact the Disability Accommodation Coordinator at (916) 274-5721 or the state-wide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing.

AVAILABILITY OF INDEX OF PRECEDENTIAL DECISIONS

DEPARTMENT OF SOCIAL SERVICES

Notice is hereby given that the California Department of Social Services (CDSS) maintains an index of cases CDSS has designated as precedential decisions. The in-

dex is available on the Internet at <http://www.cdss.ca.gov/inforesources/Community-Care-Licensing/Decisions-Relied-Upon-as-Precedent>.

This notice is published pursuant to California Government Code section 11425.60, subdivision (c).

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# 2020-0107-01
BOARD OF FORESTRY AND FIRE PROTECTION
Very High Fire Hazard Severity Zone Adoption, 2019

This action specifies the process by which local agencies submit ordinances and maps designating very high fire hazard severity zones to the Board of Forestry and Fire Protection.

Title 14
ADOPT: 1280.00, 1280.02
AMEND: 1280 [renumbered to 1280.01]
Filed 02/19/2020
Effective 04/01/2020
Agency Contact: Edith Hannigan (916) 862-0120

File# 2020-0203-01
BUREAU OF CANNABIS CONTROL
Quick Response Code Certificate Requirements for Cannabis Licensees

In this emergency regulatory action, the Bureau of Cannabis Control amends its regulations to require licensed retailers of cannabis goods to prominently display the Quick Response Code (QR Code) issued by the Bureau so that it can be viewed and scanned from outside of the licensed premises. Licensed distributor employees and delivery employees of licensed retailers are also required to carry a copy of the QR Code.

Title 16
AMEND: 5039, 5311, 5415
Filed 02/13/2020
Effective 02/13/2020
Agency Contact: Kaila Fayne (916) 465-9120

File# 2020-0211-02
BUREAU OF REAL ESTATE APPRAISERS
Minimum Experience

This rulemaking action amends the requirements to obtain a temporary practice permit and streamlines the process to apply for an appraiser license.

Title 10
AMEND: 3525, 3541
REPEAL: 3542
Filed 02/19/2020
Effective 04/01/2020
Agency Contact: Kyle Muteff (916) 341-6126

File# 2020-0211-01
CALIFORNIA DEBT LIMIT ALLOCATION
COMMITTEE
Qualified Residential Rental Program (QRRP)
Self-Scoring Worksheet and Allowing Additional
Time for Application

This emergency rulemaking by the California Debt Limit Allocation Committee amends regulations relating to the Qualified Residential Rental Program and is a deemed emergency pursuant to Government Code section 8869.94.

Title 4
AMEND: 5000, 5035, 5180
Filed 02/19/2020
Effective 02/19/2020
Agency Contact: Isaac Clark III (916) 651-8484

File# 2020-0102-02
COMMISSION ON PEACE OFFICER STANDARDS
AND TRAINING
Training and Testing Specifications

In this rulemaking action, the Commission amends its regulations to update its document incorporated by reference, entitled Training and Testing Specifications for Peace Officer Basic Courses. The updates modify the training and testing specifications for Learning Domains 3, 20, 34, and 35.

Title 11
AMEND: 1005, 1007, 1008
Filed 02/14/2020
Effective 04/01/2020
Agency Contact: Maria Sandoval (916) 227-2802

File# 2020-0107-03
COMMISSION ON PEACE OFFICER STANDARDS
AND TRAINING

Requirements for Course Presentation
The Commission on Peace Officer Standards and Training filed this rulemaking action to amend a regulation to clarify course presenter documentation of course participation.

Title 11
AMEND: 1055
Filed 02/12/2020
Effective 04/01/2020
Agency Contact:
Raymund Nanadiego (916) 227-4852

File# 2020-0115-03
COMMISSION ON PEACE OFFICER STANDARDS
AND TRAINING

Requirements for Course Certification
The Commission on Peace Officer Standards and Training filed this rulemaking action to amend a regulation that sets forth requirements for the certification of courses for increasing the effectiveness of law enforcement.

Title 11
AMEND: 1052
Filed 02/12/2020
Effective 04/01/2020
Agency Contact: Melanie Dunn (916) 227-4866

File# 2019-1231-01
DEPARTMENT OF CORRECTIONS AND
REHABILITATION

Division of Juvenile Justice — Transition from Title 15 to Title 9

In this action without regulatory effect, the Department of Corrections and Rehabilitation (Department) transfers regulations applicable to the Division of Juvenile Justice (Division) from Title 15 to Title 9 as part of the process to transfer the Division to the Health and Human Services Agency pursuant to Government Code section 12820. In addition, this action updates cross-references and fixes typos.

Title 9, 15
AMEND: 4002 [renumbered to 30000], 4003 [renumbered to 30001], 4004 [renumbered to 30003], 4600 [renumbered to 30003], 4611 [renum-

bered to 30025], 4618 [renumbered to 30026], 4724 [renumbered to 30130], 4725 [renumbered to 30132], 4705 [renumbered to 30140], 4760 [renumbered to 30150], 4762 [renumbered to 30151], 4766 [renumbered to 30160], 4767 [renumbered to 30170], 4199 [renumbered to 30185], 4699 [renumbered to 30201], 4701 [renumbered to 30207], 4139 [renumbered to 30224], 4121 [renumbered to 30230], 4122 [renumbered to 30232], 4124 [renumbered to 30234], 4125 [renumbered to 30235], 4750 [renumbered to 30260], 4750.1 [renumbered to 30261], 4751 [renumbered to 30262], 4696 [renumbered to 30275], 4720 [renumbered to 30300], 4720.1 [renumbered to 30302], 4721 [renumbered to 30304], 4723 [renumbered to 30305], 4694 [renumbered to 30400], 4692 [renumbered to 30410], 4695 [renumbered to 30421], 4130 [renumbered to 30422], 4131 [renumbered to 30445], 4132 [renumbered to 30450], 4690 [renumbered to 30455], 4691 [renumbered to 30457], 4134 [renumbered to 30458], 4135 [renumbered to 30459], 4137 [renumbered to 30460], 4138 [renumbered to 30461], 4703 [renumbered to 30462], 4698 [renumbered to 30488], 4085 [renumbered to 30500], 4086 [renumbered to 30501], 4087 [renumbered to 30502], 4088 [renumbered to 30503], 4089 [renumbered to 30504], 4090 [renumbered to 30505], 4091 [renumbered to 30506], 4092 [renumbered to 30507], 4093 [renumbered to 30508], 4095 [renumbered to 30509], 4096 [renumbered to 30510], 4098 [renumbered to 30511], 4102 [renumbered to 30512], 4103 [renumbered to 30513], 4104 [renumbered to 30514], 4105 [renumbered to 30515], 4106 [renumbered to 30516], 4670 [renumbered to 30525], 4671 [renumbered to 30526], 4672 [renumbered to 30527], 4673 [renumbered to 30528], 4675 [renumbered to 30529], 4621.1 [renumbered to 30535], 4621.2 [renumbered to 30536], 4617 [renumbered to 30540], 4622 [renumbered to 30541], 4621 [renumbered to 30542], 4730 [renumbered to 30600], 4732 [renumbered to 30601], 4733 [renumbered to 30602], 4734 [renumbered to 30603], 4735 [renumbered to 30604], 4736 [renumbered to 30605], 4737 [renumbered to 30606], 4739 [renumbered to 30607], 4740 [renumbered to 30608], 4742 [renumbered to 30656], 4743 [renumbered to 30657], 4745 [renumbered to 30658], 4746 [renumbered to 30661], 4746.5 [renumbered to 30663], 4747 [renumbered to 30664], 4744 [renumbered to 30690], 4630 [renumbered to 30700], 4632 [renumbered to 30701], 4634 [renumbered to 30702], 4635 [renumbered to 30703], 4636 [renumbered to 30704], 4641 [renumbered to 30705], 4642 [renumbered to 30706], 4643 [renumbered to 30707], 4644 [renumbered to 30708], 4645 [renum-

bered to 30709], 4646 [renumbered to 30710], 4647 [renumbered to 30711], 4648 [renumbered to 30712], 4649 [renumbered to 30713], 4650 [renumbered to 30714], 4652 [renumbered to 30715], 4653 [renumbered to 30716], 4704 [renumbered to 30913], 4141 [renumbered to 30914], 4637 [renumbered to 30915], 4639 [renumbered to 30916], 4002.5 [renumbered to 30935], 4603 [renumbered to 30936], 4710 [renumbered to 30945], 4711 [renumbered to 30946], 4712 [renumbered to 30947], 4140 [renumbered to 30948], 4713 [renumbered to 30955], 4714 [renumbered to 30956], 4697 [renumbered to 30958], 4133 [renumbered to 30965], 4680 [renumbered to 30975], 4681 [renumbered to 30976], 4684 [renumbered to 30977], 4685 [renumbered to 30978], 4034.0 [renumbered to 30985], 4034.1 [renumbered to 30986], 4034.2 [renumbered to 30987], 4034.3 [renumbered to 30988], 4034.4 [renumbered to 30989], 4700 [renumbered to 31100], 4253 [renumbered to 31150], 4146 [renumbered to 31200], 4148 [renumbered to 31201], 4149.8 [renumbered to 31205], 4151 [renumbered to 31210], 4151.5 [renumbered to 31211], 4152 [renumbered to 31212], 4152.5 [renumbered to 31213], 4152.6 [renumbered to 31214], 4153.5 [renumbered to 31215], 4155.5 [renumbered to 31220], 4156 [renumbered to 31221], 4156.5 [renumbered to 31222], 4156.6 [renumbered to 31223], 4157 [renumbered to 31224], 4159 [renumbered to 31230], 4160 [renumbered to 31231], 4160.5 [renumbered to 31232], 4161 [renumbered to 31233], 4161.3 [renumbered to 31234], 4162 [renumbered to 31235], 4162.5 [renumbered to 31236], 4166 [renumbered to 31300], 4168 [renumbered to 31305], 4168.5 [renumbered to 31306], 4168.7 [renumbered to 31307], 4169 [renumbered to 31308], 4169.5 [renumbered to 31309], 4169.9 [renumbered to 31310], 4170.5 [renumbered to 31320], 4171 [renumbered to 31321], 4171.5 [renumbered to 31322], 4173 [renumbered to 31323], 4174 [renumbered to 31324], 4174.5 [renumbered to 31325], 4174.6 [renumbered to 31326], 4197 [renumbered to 31340], 4197.1 [renumbered to 31341], 4197.2 [renumbered to 31342], 4197.3 [renumbered to 31343], 4197.4 [renumbered to 31344], 4198 [renumbered to 31345], 4190 [renumbered to 31375], 4191 [renumbered to 31376], 4143.1 [renumbered to 31400], 4143.2 [renumbered to 31401], 4143.3 [renumbered to 31402], 4143.4 [renumbered to 31420], 4143.5 [renumbered to 31421], 4143.6 [renumbered to 31422], 4175.5 [renumbered to 31500], 4178 [renumbered to 31505], 4178.5 [renumbered to 31506], 4179 [renumbered to 31507], 4179.5 [renumbered to

31508], 4180 [renumbered to 31509], 4180.5 [renumbered to 31510], 4181 [renumbered to 31511], 4182 [renumbered to 31512], 4184 [renumbered to 31520], 4184.5 [renumbered to 31521], 4185 [renumbered to 31522], 4185.5 [renumbered to 31523], 4186 [renumbered to 31524], 4186.5 [renumbered to 31525], 4187 [renumbered to 31526], 4188.5 [renumbered to 31535], 4036 [renumbered to 31605], 4037 [renumbered to 31606], 4039 [renumbered to 31607], 4043 [renumbered to 31608], 4045 [renumbered to 31609], 4046 [renumbered to 31610], 4047 [renumbered to 31611]

Filed 02/13/2020

Agency Contact: Shelly Jones (916) 683-7473

File# 2020-0110-03

DEPARTMENT OF INSURANCE

LCA Plan of Operations LC 19-03, 19-04

This file and print action by the Department of Insurance amends the California Automobile Low Cost Program Plan of Operations. This action is exempt from the Administrative Procedure Act pursuant to California Insurance Code section 11620(c).

Title 10

AMEND: 2498.6

Filed 02/12/2020

Effective 02/12/2020

Agency Contact: Michael Riordan (415) 538-4226

File# 2020-0107-04

DEPARTMENT OF PUBLIC HEALTH

Definition of Social Worker Revision

The Department of Public Health filed this action to amend regulations governing state licensing of health facilities. The amendments set forth qualifications for social workers employed at these facilities and related services provided, based on the type of licensed entity and the needs of the persons served by them.

Title 22

AMEND: 73103, 73449, 74023, 74653, 74713, 76149, 78097, 78339

Filed 02/19/2020

Effective 04/01/2020

Agency Contact:

Hannah Strom-Martin (916) 440-7371

File# 2020-0206-02

STATE ALLOCATION BOARD

Full-Day Kindergarten Facilities Grant Program; SB 75 Amendments

The State Allocation Board (SAB) is implementing changes to the Full-Day Kindergarten Facilities Grant Program (FDKFGP). The FDKFGP has been amended by Senate Bill 75, Chapter 32, Statutes of 2018, which appropriates another \$300 million to FDKFGP and modifies program eligibility and funding criteria. SAB is making changes to reflect the modifications from SB 75 including a change to the matching shares for local school districts to retrofit existing school facilities or to construct new facilities to 25% where before it was 40% required to retrofit and 50% for new construction.

Title 2

AMEND: 1860, 1860.02, 1860.3, 1860.4, 1860.05, 1860.06, 1860.10, 1860.11, 1860.13, 1860.15, 1860.18, 1860.19

Filed 02/18/2020

Effective 02/18/2020

Agency Contact: Lisa Jones (916) 376-1753

**PRIOR REGULATORY
DECISIONS AND CCR
CHANGES FILED WITH THE
SECRETARY OF STATE**

A quarterly index of regulatory decisions by the Office of Administrative Law (OAL) is provided in the California Regulatory Notice Register in the volume published by the second Friday in January, April, July, and October following the end of the preceding quarter. For additional information on actions taken by OAL, please visit www.oal.ca.gov.