



California Regulatory Notice Register

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

- MULTI-COUNTY: Twin Rivers Unified School District
 Opportunities for Learning — Baldwin Park, Inc.
 Opportunities for Learning — Capistrano, Inc.
 OFL — Duarte, Inc.
 Opportunities for Learning — William S. Hart, Inc.
 Options for Youth — Acton, Inc.
 Options for Youth — Duarte, Inc.
 Options for Youth — San Bernardino, Inc.
 Options for Youth — San Gabriel, Inc.
 Options for Youth — San Juan, Inc.
 Options for Youth — Victor Valley, Inc.

STATE AGENCY: Department of Health Care Access and Information

A written comment period has been established commencing on February 20, 2026, and closing on April 6, 2026. Written comments should be directed to the Fair Political Practices Commission, Attention:

Andrea Spiller Hernandez, 1102 Q Street, Suite 3050, Sacramento, California 95811.

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

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

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

Any interested person may present statements, arguments, or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest codes. Any written comments must be received no later than April 6, 2026. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

vised, or return the proposed code for revision and re-submission.

REFERENCE

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

CONTACT

Any inquiries concerning the proposed conflict-of-interest codes should be made to Andrea Spiller Hernandez, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email aspiller-hernandez@fppc.ca.gov.

AVAILABILITY OF PROPOSED CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Andrea Spiller Hernandez, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email aspiller-hernandez@fppc.ca.gov.

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

VEHICLE INDUSTRY AND BUSINESS ENTERPRISES

The Department of Motor Vehicles (department) proposes to amend Sections 225.03 in Article 3.6, Chapter 1, Division 1, Title 13 of the California Code of Regulations, related to the business partner application documents.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than **April 6, 2026**, the final day of the written comment period, for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt amend/repeal these regulations under the authority granted by Vehicle Code section 1651, to implement, interpret, or make specific Vehicle Code section 1685.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Vehicle Code section 1685 authorizes the department to enter into contracts with private industry business partners to facilitate electronic registration and titling transactions required for vehicles and vessels under the Vehicle Code. The department created the Business Partner Automation (BPA) program pursuant to the authority granted in Vehicle Code section 1685. The contracts are governed by the Public Contracting Code and regulations implementing that Code adopted by the Department of General Services. The department regulates non-contract aspects of the program to ensure department records remain accurate and to ensure the vehicle owning public experiences the convenience of electronic registration and titling transaction being completed without the need to visit a department field office. Upon completion of an application process, payment of fees and meeting specified financial responsibility requirements, the department issues a permit to business partners. The program has grown to accommodate millions of registration and titling transactions per year securely and accurately.

Vehicle Code section 1685 authorizes the department to establish application requirements. Part of the application requirements include documentation that establishes the department's information security criteria that ensures the department's records are maintained and accessed in a manner that protects the privacy of those records.

The department is amending Section 225.03, related to application requirements for all business partners, to require business partner applicants to submit an Information Security and Disclosure Statement Public/Private Partnerships Employee, EXEC 200X, as part of the application documentation. The form EXEC 200X is a form that is required to be completed by em-

ployees who will have access to the department's records. The document instructs the employee on methods to keep the records safe, such as creating a strong password, ensuring workstations are safeguarded by logging off of the terminal when the employee is away and securing the user guide. When followed, the security measures listed on the form EXEC 200X will ensure the integrity and privacy of all records in the department's database.

BENEFITS OF THE PROPOSED REGULATION

If left unprotected, information could be accessed by unauthorized individuals and could be used to harm individuals that provided information to a school with the understanding that the information they provided would be confidential. Vehicle Code section 1808.21 prohibits dissemination of an address held in a department record. It also restricts the unauthorized dissemination of any department record. By these regulations, the department is prohibiting dissemination of these department records for any purpose other than to fulfill the objective of a functioning database for conveying course completion information to a court. This database is maintained by the department and thus contains department records. Users found to be violating the requirements of Form EXEC 200X will be denied access to the database because complying with the terms of the EXEC 200X is a condition of using the database.

CONSISTENCY AND COMPATIBILITY WITH STATE REGULATIONS

The department has conducted a review of other state regulations and have determined that this action is the only regulation that, 1) establishes application requirements for business partners, and 2) requires privacy documentation to be completed by business partner employees who have access to the department's records. The department has determined this action is neither inconsistent nor incompatible with state regulations.

COMPARABLE FEDERAL STATUTES OR REGULATIONS

Many provisions in the adopted form are governed and authorized by several sections in Title 18 of the United States Code, related to information privacy. Corresponding Code sections are included in the initial statement of reasons for reference. While this proposed action relies on federal statutes, there are no comparable federal statutes or regulations.

DOCUMENTS INCORPORATED BY REFERENCE

The following documents is incorporated by reference:

- Information Security and Disclosure Statement Private/Public Partnerships Employee, form EXEC 200X (Rev. 3/2003).

This form is not published in the California Code of Regulations because it would be impractical and cumbersome to do so; however, the documents is readily available to interested parties by contacting the department representative identified below.

ECONOMIC AND FISCAL IMPACT DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- Cost Or Savings To Any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impact on Representative Private Persons or Businesses: The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. This action requires employees of business partners to complete a form that affirms their intention to maintain the department's records in a safe and responsible manner.
- Effect on Housing Costs: None.
- Local Agency/School District Mandates: The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- Small Business Impact: This proposed action may impact small businesses. This amendment requires employees of a business partner to complete a form EXEC 200X as part of the business partner's application process. The form instructs the employee on methods to ensure documents and the database are maintained in a safe and responsible manner. There are many business partners that are small businesses, however, this proposed action requires action by the employee and any action that must be taken by the business partner would not be so great that it would be likely to cause any positive or negative impact.

- Potential significant statewide adverse economic impact: The proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The purpose of this amendment is to add an employee privacy form to the documents required during the application process.

RESULTS OF THE ECONOMIC IMPACT STATEMENT

The department has made the initial determinations that the economic impact associated with this proposed regulation will not impact, 1) the creation or elimination of jobs within the State of California, 2) the creation of new businesses or elimination of existing businesses within the State of California, 3) or the expansion of businesses currently doing business within the State of California.

This proposed action is also unlikely to benefit the state's environment, however, the department anticipates benefits to employee welfare by providing guidance in instruction on how to safely access and maintain records within the department's database and will benefit California citizens who are vehicle owners with records maintained by the department. This proposed action establishes requirements that a business partner applicant must put into place to ensure those records are accessed and maintained in a manner that will ensure their privacy. As a result, the proposed action identifies benefits to worker safety and public health and safety.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

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

CONTACT PERSON

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

Randi Calkins, Regulations Specialist
Department of Motor Vehicles
Legal Affairs Division
P.O. Box 932382, MS C-244
Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 282-7294
Facsimile: (916) 657-6243
Email: LADRegulations@dmv.ca.gov

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

Peggy Gibson, Attorney IV
Department of Motor Vehicles
Telephone: (916) 657-6469

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed regulatory action and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strike-out to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, and Express Terms) may be accessed at <https://www.dmv.ca.gov/portal/about-the-california-department-of-motor-vehicles/california-dmv-rulemaking-actions/>.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently

related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Requests for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

VISITING

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR or the department), proposes to amend sections 3170.1, 3171, 3172, 3172.2, 3173, 3173.2, 3176, and 3177 of Title 15, Division 3, Chapter 1, regarding Visiting.

PUBLIC COMMENT PERIOD

The public comment period begins **February 20, 2026**, and closes on **April 8, 2026**. Any person may submit written comments by mail addressed to the primary contact person listed below, or by email to rpmb@cdcr.ca.gov, before the close of the comment period. For questions regarding the subject matter of the regulations, call the contact person listed below.

CONTACT PERSONS

Primary Contact

S. Pollock
 Telephone: (279) 223–2308
 Regulation and Policy Management Branch
 P.O. Box 942883
 Sacramento, CA 94283–0001

Back-Up

Y. Sun
 Telephone: (916) 203–9779
 Regulation and Policy Management Branch
 P.O. Box 942883
 Sacramento, CA 94283–0001

Program Contact

Carlos Santos
 Telephone: (279) 223–3778
 Division of Adult Institutions
 P.O. Box 942883

Sacramento, CA 94283–0001

PUBLIC HEARING

Date and Time:

April 8, 2026 — 10:00 a.m. to 11:00 a.m.

Place:

State of California, Building C, First Floor,
 Room 101
 8260 Longleaf Drive
 Elk Grove, CA 95758

AUTHORITY AND REFERENCE

Government Code Section 12838.5 provides that commencing July 1, 2005, CDCR succeeds to, and is vested with, all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of abolished predecessor entities, such as Department of Corrections, Department of the Youth Authority, and Board of Corrections.

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations. **PC Section 5050** provides that commencing July 1, 2005, any reference to the Director of Corrections in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the State prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR. **PC Section 5055** provides that commencing July 1, 2005, all powers and duties previously granted to and imposed upon the Department of Corrections shall be exercised by the Secretary of the CDCR. **PC Section 5058** authorizes the Director to prescribe and amend rules and regulations for the administration of prisons and for the administration of the parole of persons.

Additional Authority and Reference Citations cited in the amended CCR sections include: Sections 2080, 2086, 2600, 2601(c)(2), 2930, 4570, 4570.5, 4573, 4573.5, 4576, 6402, 6404, and 6405, Penal Code. Section 297.5, Family Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Currently, visitors of incarcerated persons must provide specified documentation such as: an official government issued birth certificate for a visiting minor, a

notarized written parental consent for a visiting minor, an official government issued marriage license or domestic partnership form, an official government issued birth certificate for a parent or sibling attending an approved family visit, and a medical letter for a visitor, upon each visit to the incarcerated person. These proposed regulations allow for these documents to be scanned into the department's Strategic Oversight Management System (SOMS) so that visitors do not have to provide these documents upon each visit. In addition, visitors are currently not allowed to take food or beverage items that they purchased in the visiting area out of the visiting area, which creates waste and an undue hardship for the visitor. The proposed regulations will now allow visitors to take these items out of the visiting area; this will remove potential barriers to promote better family connection and reunification. Additionally, the proposed regulations will incorporate the CDCR Form 106 (Rev. 05/25), Visiting Questionnaire Application into the California Code of Regulations (CCR). This form will allow the department to conduct a California Law Enforcement Telecommunications System (CLETS) check on potential visitors, which is a more efficient process to approve visitors, and eliminates visitors being disapproved for not recalling all previous arrests or conviction history. Visitor applicants will also be able to email specific documents that they may have missed providing or incorrectly submitted with their visitor application. The proposed regulations will clarify the visitor search process by specifying that the search is voluntary, involves a hand-held wand and visual inspection, and that no touching of the visitor by staff will be involved. The proposed regulations will resolve confusing and conflicting language currently outlined in section 3177(b)(1) regarding Family Visiting (Overnight) and reconstruct the section to provide a better understanding of the violations that may or may not be allowed in order to participate in family visiting.

This action will:

- Allow visitors to take food or beverage items that they purchased in the visiting area, out of the visiting area.
- Incorporate by reference into the CCR, Title 15, the CDCR Form 106 (Rev. 05/25), Visiting Questionnaire Application.
- Allow visitors to email the department specific documents or information that they may have missed initially including, or that was incorrectly submitted with their visiting application.
- Increase the visiting hours and days for visiting an incarcerated person.
- Allow specific documents to be scanned into the visitor's visiting profile within SOMS.

- Clarify that searches for visitors are voluntary, and that the visitor will not be touched by staff during the search process.
- Replace outdated language which uses pronouns such as "he/she," with more gender-neutral terms to be more inclusive of all persons.
- Update terminology such as: "drugs" with "controlled substances," and "cell phones" with "wireless communication device," for consistency within the CCR, Title 15, and more appropriate language.
- Revise and clarify language regarding incarcerated persons excluded from family visits in order to ensure the protection of individuals wishing to participate in family visits.

**DOCUMENTS INCORPORATED
BY REFERENCE**

CDCR Form 106 (Rev. 05/25), Visiting Questionnaire Application.

This note explains the department's justification for incorporating forms by reference. The department uses over 1,500 forms, many of which are regulatory. It would be unduly cumbersome, expensive and impractical to print all of these forms in the CCR text, therefore the department has always incorporated forms by reference, except in specific circumstances which do not apply in the case of these regulations.

The adopted, amended, and/or repealed forms included in this rulemaking action are available to the public for review and are included in the notice of rulemaking sent to all parties who have requested notification.

**SPECIFIC BENEFITS ANTICIPATED BY
THE PROPOSED REGULATIONS**

The proposed regulations will promote positive family connection and reunification by eliminating unnecessary steps from the visiting and visiting application process; by streamlining administrative processes it will improve administrative efficiency, reducing unnecessary redundant workload for staff, and making the visitation process more accommodating for visitors. Positive family connection and reunification will aid in the successful rehabilitation of incarcerated persons. The proposed regulations will also provide clarity and respect for visitors by clarifying that the visitor search process is voluntary and will not involve any touching of the visitor. Additionally, the proposed regulations will help maintain the safety and security of family (overnight) visits within the institutions.

EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH EXISTING
LAWS AND REGULATIONS

Pursuant to Government Code 11346.5(a)(3)(D), the department has determined the proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the department has concluded that these are the only regulations that concern visiting.

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500–17630.

FISCAL IMPACT STATEMENT

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

EFFECT ON HOUSING COSTS

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

COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES

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

SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESS

The department has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, because the proposed regulations place no obligations or requirements on any business.

EFFECT ON SMALL BUSINESSES

The department has determined that the proposed regulations will not affect small businesses. This action has no significant adverse economic impact on small business because they place no obligations or requirements on any business.

RESULTS OF THE ECONOMIC
IMPACT ASSESSMENT

The department has determined that the proposed regulations will have no effect on the creation of new, or the elimination of existing jobs or businesses within California or effect the expansion of businesses currently doing business in California. The department has determined that the proposed regulation will not have an impact on worker safety, and the State’s environment. The health and welfare of California residents may benefit by promoting positive family and community connections for incarcerated persons and visitors of incarcerated persons.

CONSIDERATION OF ALTERNATIVES

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed regulatory action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. Interested persons are invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND
INITIAL STATEMENT OF REASONS

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

**AVAILABILITY OF THE FINAL
STATEMENT OF REASONS**

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the department’s contact person.

**AVAILABILITY OF CHANGES TO
PROPOSED TEXT**

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

**TITLE 16. BOARD OF
CHIROPRACTIC EXAMINERS**

**REPEAL OF MENTAL
ILLNESS REGULATION**

NOTICE IS HEREBY GIVEN that the Board of Chiropractic Examiners (hereafter Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under “Contact Person” in this Notice, must be **received by the Board at its office no later**

than by Monday, April 6, 2026, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 4 of the Chiropractic Initiative Act of California (Act) [Initiative Measure, Stats. 1923, page lxxxix, § 4, as amended by Stats. 1978, chapter 307, page 636, § 1], the Board is considering repealing section 315 of Title 16, Division 4, Article 2 of the California Code of Regulations (CCR).

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Existing law, CCR section 315, allows the Board to order a licensee to be examined by one or more physicians specializing in psychiatry when reasonable cause exists that the licensee is mentally ill to the extent that it may affect their ability to conduct with safety to the public the practice of chiropractic. The regulation also allows the Board to place a licensee on probation, suspend their right to practice for a period not exceeding one year, revoke their license, or take other such action as the Board in its discretion deems proper if the licensee is found to be mentally ill, and specifies terms and conditions that may be imposed by the Board when reinstating a license after receiving competent evidence of the absence or control of the condition which originally caused the Board to take action against the licensee.

This proposal will repeal CCR section 315 because this regulation unnecessarily duplicates existing statutory authority found within Business and Professions Code sections 820 through 828 that permits the Department of Consumer Affairs (DCA) healing arts boards, including the Board, to order a licensee to be examined by one or more physicians and surgeons or psychologists whenever it appears they may be unable to practice their profession safely due to mental illness, or physical illness affecting competency, and to take appropriate action against a licensee for failure to comply with the order, or upon determining that they are unable to practice safely because they are mentally ill, or physically ill affecting competency, or when reinstating a license after receiving competent evidence of the absence or control of the condition which caused the revocation or suspension of the license.

This proposal also supports the Board’s 2022–2026 Strategic Plan Objective 4.2 to perform a comprehensive review of existing regulations to identify and address any unnecessary or obsolete regulations and to clarify current regulations.

Anticipated Benefits of Proposal

This proposal benefits the health and welfare of California residents by removing an obsolete and unused provision that duplicates existing statutory authority, while still allowing the Board to discipline licensees and protect consumers. This action will reduce confusion for both licensed doctors of chiropractic and the public, clarify the Board’s current regulations, and eliminate time spent navigating unnecessary regulations.

This regulatory proposal does not affect worker safety or the state’s environment.

Evaluation of Consistency and Compatibility with Existing State Regulations

During the process of developing this regulatory proposal, the Board has conducted a search of any similar regulations on these topics and has concluded that this proposal is neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None. The regulations do not result in a fiscal impact to the state. This proposal is intended to eliminate the duplication of existing statutory authority in the Board’s regulations and does not result in additional workload or costs.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

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

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

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

Cost Impact on Representative Private Person or Business

The Board is not aware of any cost impacts that a representative private person or business would nec-

essarily occur in reasonable compliance with the proposed action.

This proposal is intended to eliminate a duplicative provision within the Board’s regulations and does not result in additional costs to individuals or businesses.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses

The Board has determined that this regulatory proposal will not have any impact on the following:

- 1) the creation or elimination of jobs within the state,
- 2) the creation of new businesses or the elimination of existing businesses within the state, or,
- 3) the expansion of businesses currently doing business in the state.

Benefits of Regulation

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents by removing an obsolete and unused provision that duplicates existing statutory authority. This action will reduce confusion for both licensed doctors of chiropractic and the public, clarify the Board’s current regulations, and eliminate time spent navigating unnecessary regulations.

This regulatory proposal does not affect worker safety or the state’s environment as this proposal is not related to any of those issues.

Business Reporting Requirements

The regulatory action does not require businesses to file a report with the Board.

Effect on Small Business

The Board has determined that this regulatory proposal will not affect small businesses. This proposal is intended to repeal an obsolete regulation that duplicates existing statutory authority and does not result in additional costs to small businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), 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 submit written comments relevant to the above determinations to the Board’s of-

office at 1625 N. Market Blvd., Suite N-327, Sacramento, CA 95834 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons, proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

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 at 1625 N. Market Blvd., Suite N-327, Sacramento, CA 95834.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, 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, with the modifications clearly indicated, will be available for review and written comment 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 comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

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: Tammi Herrera
Address: Board of Chiropractic Examiners
1625 N. Market Blvd., Suite N-327
Sacramento, CA 95834
Telephone Number: (916) 574-8983
Fax Number: (916) 327-0039
Email Address: tammi.herrera@dca.ca.gov

The backup contact person is:

Name: Kristin Walker
Address: Board of Chiropractic Examiners
1625 N. Market Blvd., Suite N-327
Sacramento, CA 95834
Telephone Number: (916) 574-7784
Fax Number: (916) 327-0039
Email Address: kristin.walker@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board's website at https://www.chiro.ca.gov/laws_regs/prop_regs.shtml.

TITLE 16. COURT REPORTERS BOARD

DISCIPLINARY AND DENIAL GUIDELINES

NOTICE IS HEREBY GIVEN that the Court Reporters Board of California (CRB or Board) proposes to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 calendar days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under "Contact Persons" in this Notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under “Contact Persons” in this Notice, must be **received by the Board at its office no later than 5:00 p.m. on Tuesday, April 7, 2026**, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 8007, 8025, and 8047 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 8025 and 8047 and sections 11425.50(e) and 11519, Government Code (Gov. Code), the Board is considering amending section 2472 of Title 16, Division 24, of the California Code of Regulations (CCR)¹.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing regulatory language at CCR section 2472 contains the 1989 version of the Board’s Disciplinary Guidelines that are incorporated by reference.

BPC section 8007 mandates that the Board shall “adopt, amend, or repeal rules and regulations which are reasonably necessary to carry out the provisions” of Chapter 13 of Division 3 of the BPC. BPC section 8025 outlines causes under which a license may be suspended, revoked, denied, or otherwise subject to disciplinary action. BPC section 8047 authorizes the Board to formulate and enforce rules and regulations to carry out the provisions of Article 5, relating to Shorthand Reporting Corporations, of Chapter 13 of Division 3 of the BPC. Government Code section 11425.50(e) states that a “penalty may not be based on a guideline, criterion, bulletin, manual, instruction, order, standard of general application or other rule subject to Chapter 3.5 (commencing with Section 11340) unless it has been adopted as a regulation pursuant to Chapter 3.5 (commencing with Section 11340).” Gov. Code section 11519 states that the “decision shall become effective 30 days after it is delivered or mailed to respondent unless: a reconsideration is ordered within that time, or the agency itself orders that the decision shall become effective sooner, or a stay of execution is granted” or unless the Board takes “immediate action to protect the public interest in accordance with Article 13 (commencing with Section 11460.10) of Chapter 4.5.” Section 11519 further states that “specified terms of probation may include an order of restitution” and

¹ Unless otherwise noted, all references to the CCR hereafter are to Title 16.

“the amount paid shall be credited to any subsequent judgment in a civil action.”

This rulemaking proposal will amend CCR section 2472 to update the regulatory language, delete the existing Disciplinary Guidelines publication in its entirety that was incorporated by reference, add and incorporate by reference a new version of the publication, including renaming it to be the “Disciplinary and Denial Guidelines” (Guidelines) because it relates to both disciplinary actions and the denial of licenses, and update recommended penalties and other provisions. Furthermore, the proposal will amend and add related informational materials to the Guidelines and make other minor, technical non–substantive changes to address punctuation and grammar. The proposal will also update the Reference citation for CCR section 2472 by adding Gov. Code section 11519, which authorizes the Board to include a stay of execution in the decision or, if not included therein, to grant a stay of execution at any time before the decision becomes effective.

These amendments clarify the Board’s authority to promulgate the Guidelines and the statutes that the regulation and Guidelines implement, interpret, and make specific. This proposal aligns with the Board’s mission to protect the public by ensuring the integrity of the judicial record and maintaining the standard of competency through oversight of the court reporting profession. The proposal also supports the Board’s vision that consumers hiring a California licensed court reporter engage the highest quality, most knowledgeable, and most ethical professional.

Amend Section 2472, Disciplinary Guidelines.

The existing regulation sets forth provisions for the February 18, 1989, version of the Disciplinary Guidelines that was incorporated by reference effective July 19, 1997.

This regulatory proposal will make the changes discussed below.

Amend Regulatory Title and Text

In the regulatory title, add “and Denial” after “Disciplinary” to change the title to “Disciplinary and Denial Guidelines.”

In the regulatory text, make the following changes:

- Add “the administrative adjudication provisions of” before “the Administrative Procedure Act” in the first sentence,
- Add “and in reaching a decision on whether to deny a license under provisions of the Business and Professions Code” at the end of the introductory phrase for the first sentence,
- Capitalize “board” in two locations of the regulatory text,

- Add “and denial” after “disciplinary” and add “and Denial” after “Disciplinary” in the second half of the first sentence,
- Change “Rev. 2/18/89” to “New [OAL insert effective date]” near the end of the first sentence,
- Add a comma after “deviation” before “for example” in the second half of the second sentence,
- Change the semicolons after “factors” and “case” to commas and add “or” before “evidentiary” near the end of the second sentence,
- Add a comma after “8025” in the Authority citation in the Note at the bottom of the regulation, and,
- Make “Section” plural and add “and 11519” after “11425.50(e)” of the Gov. Code in the Reference citation in the Note at the bottom of the regulation.

Delete Existing February 18, 1989, Version of the Disciplinary Guidelines Incorporated by Reference

Delete the existing February 18, 1989, version of the Disciplinary Guidelines in its entirety that was incorporated by reference into CCR section 2472 effective July 19, 1997.

Add New Version of the Disciplinary Guidelines Incorporated by Reference

Add and incorporate by reference the latest version of the Guidelines publication that relates to the discipline of licensees and the denial of licenses for applicants, the specific elements and chapters of which are detailed below.

Add a Cover Page and Table of Contents

Add a cover page and Table of Contents for the Guidelines publication.

Add Chapter I: Introduction

Add an Introduction chapter to inform those involved in and affected by the disciplinary and denial processes of basic information that provides a context under which the Guidelines function.

Add Chapter II: Substantially Related Criteria and Factors to be Considered in Determining Penalties

Add a chapter on Substantially Related Criteria and Factors to be Considered in Determining Penalties, including three subcategories (Denial of a License, Suspension or Revocation of a License, and Additional Factors and Types of Evidence), to establish criteria that the Board shall apply when considering whether to deny, suspend, or revoke a license based on a substantially related crime, professional misconduct, or act, in addition to 12 factors and five (5) types of evidence to be considered when determining the appropriate level of penalty to be imposed in a given case.

Add Criteria for Denial of a License

Add criteria for Denial of a License to direct those involved in and affected by the license denial process to the rehabilitation criteria that the Board will apply

when considering whether to deny a court reporter’s license.

Add Criteria for Suspension or Revocation of a License

Add criteria for Suspension or Revocation of a License to direct those involved in and affected by the disciplinary process to the rehabilitation criteria that the Board will apply when considering whether to suspend or revoke a court reporter’s license.

Add Additional Factors and Types of Evidence

Add 12 additional factors for determining whether the minimum or maximum penalty, or an intermediate penalty, should be imposed in a given case, and add examples of five (5) types of evidence of rehabilitative efforts and competency that the applicant or licensee may submit for Board review, including recent, dated letters from various individuals submitted within 30–60 calendar days.

Add Chapter III: Definition of Penalties

Add a chapter on Definition of Penalties to establish definitions for the following six types of penalties that the Board is authorized to impose against applicants or licensees: denial of license, revocation, suspension, stayed revocation, stayed suspension, and probation.

Add Definition of “Denial of License”

Add consistent and easy-to-understand definition of “denial of license.”

Add Definition of “Revocation”

Add consistent and easy-to-understand definition of “revocation” of a license.

Add Definition of “Suspension”

Add consistent and easy-to-understand definition of “suspension” of a license.

Add Definition of “Stayed Revocation”

Add consistent and easy-to-understand definition of “stayed revocation” of a license, where the license is revoked, but the revocation is not imposed; it is stayed provided the licensee meets the terms and conditions of their probation.

Add Definition of “Stayed Suspension”

Add consistent and easy-to-understand definition of “stayed suspension” of a license, where the license is suspended, but the suspension is not imposed; it is stayed provided the licensee meets the terms and conditions of their probation.

Add Definition of “Probation”

Add consistent and easy-to-understand definition of “probation” that is a fixed period of time during which a licensee agrees to comply with specified conditions relating to improving the licensee’s conduct or preventing a reoccurrence of the violation, or both.

Add Chapter IV: Penalty Guidelines for Violations

Add a chapter on Penalty Guidelines for Violations, including a table containing minimum and maximum

penalty recommendations for various violations of law by applicants and licensees.

APPLICANTS

Add Recommended Penalties for Violations of BPC Section 496

Add minimum and maximum penalty recommendations for applicant violations of BPC section 496 relating to examination subversion — denial of the applicant’s license for both minimum and maximum penalties.

Add Recommended Penalties for Violations of BPC Section 8016

Add minimum and maximum penalty recommendations for applicant violations of BPC section 8016 relating to a certificate required for shorthand reporting practice — denial of the applicant’s license for both minimum and maximum penalties.

Add Recommended Penalties for Violations of BPC Section 8018

Add minimum and maximum penalty recommendations for applicant violations of BPC section 8018 relating to title and abbreviation — denial of the applicant’s license for both minimum and maximum penalties.

Add Recommended Penalties for Violations of BPC Section 8025(a)/480(a)

Add minimum and maximum penalty recommendations for applicant violations of BPC section 8025(a)/480(a) relating to substantially related criminal convictions — denial of the applicant’s license for both minimum and maximum penalties.

Add Recommended Penalties for Violations of BPC Section 8025(c)/480(e)

Add minimum and maximum penalty recommendations for applicant violations of BPC section 8025(c)/480(e) relating to false statement of fact on an application — denial of the applicant’s license for both minimum and maximum penalties.

Add Recommended Penalties for Violations of BPC Section 8025(i)/480(a)(2)

Add minimum and maximum penalty recommendations for applicant violations of BPC section 8025(i)/480(a)(2) relating to formal discipline by another licensing board — denial of the applicant’s license for both minimum and maximum penalties.

Add Recommended Penalties for Violations of BPC Section 8025.1(a)(1)

Add minimum and maximum penalty recommendations for applicant violations of BPC section 8025.1(a)(1) relating to physical or mental infirmity or incapacity — denial of the applicant’s license for both minimum and maximum penalties.

Add Recommended Penalties for Violations of BPC Section 8025.1(a)(2)

Add minimum and maximum penalty recommendations for applicant violations of BPC section 8025.1(a)(2) relating to abuse of chemical substances or alcohol — denial of the applicant’s license for both minimum and maximum penalties.

LICENSEES

Add Recommended Penalties for Violations of BPC Section 496

Add minimum and maximum penalty recommendations for licensee violations of BPC section 496 relating to examination subversion — license revocation for both minimum and maximum penalties.

Add Recommended Penalties for Violations of BPC Section 8016

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8016 relating to a certificate required for shorthand reporting practice — stayed revocation with four (4) years’ probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8018

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8018 relating to title and abbreviation — stayed 90–day suspension with four (4) years’ probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8019

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8019 relating to aiding and abetting — stayed revocation with four (4) years’ probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025(a)/490

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025(a)/490 relating to conviction of a substantially related crime — stayed revocation with three (3) years’ probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025(b)

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025(b) relating to failure to notify the Board of a conviction — stayed revocation with three (3) years’ probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025(c)/498/499

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025(c)/498/499 relating to fraud, deceit, or misrepresentation in obtaining a certificate, or securing a certificate by knowingly omitting to state a material fact — license revocation for both minimum and maximum penalties.

Add Recommended Penalties for Violations of BPC Section 8025(d) (Fraud, Dishonesty, Corruption, Willful Violation of Duty)

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025(d) relating to fraud, dishonesty, corruption, or willful violation of duty — stayed revocation with four (4) years' probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025(d) (Gross Negligence, Incompetence)

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025(d) relating to gross negligence or incompetence — stayed revocation with four (4) years' probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025(d) (Unprofessional Conduct)

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025(d) relating to unprofessional conduct — stayed revocation with four (4) years' probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025(e)

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025(e) relating to repeated unexcused failure to transcribe notes of cases pending appeal and to timely file transcripts of those notes or transcribe or file notes of other proceedings — stayed revocation with two (2) years' probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025(f)

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025(f) relating to negligent loss or destruction of stenographic notes preventing transcript production — stayed revocation with two (2) years' probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025(g)

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025(g) relating to failure to comply with or pay a monetary

sanction by a court for failure to provide timely transcripts — stayed revocation with two (2) years' probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025(h)

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025(h) relating to failure to pay a civil penalty relating to provision of court reporting services or products — stayed revocation with two (2) years' probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025(i)/141

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025(i)/141 relating to revocation, suspension, or other disciplinary action by another state, agency of the federal government, or another country — stayed revocation with two (2) years' probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025(j)

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025(j) relating to violation of Chapter 13 of Division 3 of the BPC (commencing with section 8000) or the statutes, rules, and regulations pertaining to certified shorthand reporters — stayed revocation with two (2) years' probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025.1(a)(1)

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025.1(a)(1) relating to physical or mental infirmity or incapacity — stayed revocation with two (2) years' probation for minimum penalty and license revocation for maximum penalty.

Add Recommended Penalties for Violations of BPC Section 8025.1(a)(2)

Add minimum and maximum penalty recommendations for licensee violations of BPC section 8025.1(a)(2) relating to abuse of chemical substances or alcohol — stayed revocation with two (2) years' probation for minimum penalty and license revocation for maximum penalty.

Add Chapter V: Probation Conditions

Add a chapter on Probation Conditions, including 15 Standard and 14 Optional Conditions.

STANDARD CONDITIONS

Add Standard Condition 1 — Obey All Laws

Add Standard Condition 1 to require the Respondent to obey all applicable laws and comply with all probation and payment requirements ordered by a criminal court while the Respondent is on probation with the Board and notify the Board of all misdemeanor and felony arrests and convictions within seven (7) calendar days after occurrence. The Respondent shall also be required to pay for and submit Live Scan fingerprints within 15 calendar days after the effective date of the decision if they have not already been fingerprinted for the Board.

Add Standard Condition 2 — Comply with the Board’s Probation Program

Add Standard Condition 2 to require the Respondent to comply with the Board’s probation program and relevant terms and conditions during their probationary period and provide the Board with unrestricted access to inspect their shorthand reporting records and documents. The Respondent shall also be required to notify the Board of any address changes, pick up all certified mail from the Board, and respond to all requests for information from the Board and submit requested documents within 15 calendar days. Failure to appear for a scheduled meeting or otherwise comply with this condition shall constitute a probation violation.

Add Standard Condition 3 — Quarterly Reports of Compliance

Add Standard Condition 3 to require the Respondent to submit signed quarterly reports of probation program compliance in accordance with the calendar schedule set forth in the condition. Incomplete and late reports are not in compliance with the condition, and reports containing omissions or falsifications shall constitute a probation violation.

Add Standard Condition 4 — Maintain Current and Active License

Add Standard Condition 4 to require the Respondent to maintain a current and active license during the probationary period, including periods of suspension. Failure to pay all fees prior to the license expiration date shall constitute a probation violation.

Add Standard Condition 5 — Residency Outside of the State (Tolling)

Add Standard Condition 5 to require the Respondent to notify the Board of any address changes to outside of California within five (5) calendar days, including travel outside of the state for contiguous periods of more than 60 calendar days that are not counted toward the probationary period (known as “tolling”), and annually verify their out-of-state residency within 30 calendar days. Tolling for three (3) or more consecutive years shall constitute a probation violation.

The Respondent shall maintain an active license and comply with all probation conditions, quarterly compliance reports, and cost recovery during periods of non-residency. The probationary period shall not be tolled while the Respondent is licensed and practicing while under probation in another state.

Add Standard Condition 6 — Failure to Practice — California Resident (Tolling)

Add Standard Condition 6 to require the Respondent to notify the Board of any periods of nonpractice while residing in California and annually verify their California residency and nonpractice period within 30 calendar days. Periods of California residency and nonpractice for more than 60 consecutive calendar days shall be tolled and not counted toward the probationary period. Tolling for three (3) or more consecutive years shall constitute a probation violation. The Respondent shall maintain an active license and comply with all probation conditions, quarterly compliance reports, and cost recovery during periods of California residency and nonpractice.

Add Standard Condition 7 — Restitution

Add Standard Condition 7 to require the Respondent to pay restitution to a designated person or entity within a specified number of calendar days after the effective date of the decision, failure of which shall constitute a probation violation. The Respondent shall submit proof of repayment to the Board within 30 calendar days. This condition includes a note clarifying that BPC section 143.5 prohibits restitution from being ordered for cases that involve civil actions that have been settled for monetary damages for the full and final satisfaction of the parties.

Add Standard Condition 8 — Cost Recovery

Add Standard Condition 8 to require the Respondent to pay the Board cost recovery for the costs and charges for investigating and enforcing the matter in a specified total dollar amount through a stated number of equal quarterly payments of specified dollar amount, commencing within 30 calendar days and continuing quarterly thereafter with each payment due within 90 calendar days after the prior payment. Late payments and failure to reimburse shall constitute a probation violation. The Board may agree to an alternate payment plan if requested by the Respondent due to financial hardship.

Add Standard Condition 9 — Probation Violation

Add Standard Condition 9 to recommend that the Board revoke the Respondent’s probation and impose the original disciplinary order that had been stayed (suspension or renovation) if the Respondent violates probation in any respect after the Board has given the Respondent 10 calendar days’ written notice and an opportunity to be heard at a formal hearing. If the Board is seeking further disciplinary action, it shall

have continuing jurisdiction and the probation shall not expire until the matter is final.

Add Standard Condition 10 — License Surrender While on Probation

Add Standard Condition 10 to establish procedures for the Respondent to request the voluntarily surrender their license while on probation due to retirement, health reasons, or inability to satisfy the probationary terms and conditions. The Board may evaluate and consider whether the Respondent's request would compromise public protection under various circumstances. If the Board approves the request, the Respondent shall submit their certificate to the Board within 15 calendar days, cease practice, and no longer be subject to the terms and conditions of probation. The license surrender shall be deemed disciplinary action. The Respondent may apply for reinstatement of their license within three (3) years after the license expiration date.

Add Standard Condition 11 — Probation Completion

Add Standard Condition 11 to provide that any revocation or suspension order that was stayed shall be removed and the Respondent's license shall be fully restored upon completion of probation.

Add Standard Condition 12 — Criminal Probation

Add Standard Condition 12 to require Respondents who are on criminal probation or parole to submit written quarterly reports from their criminal probation officer or other supervisory officer regarding their criminal probation progress; a copy of the conditions of the Respondent's criminal probation/parole and the name and contact information for their probation, parole, or other supervisory officer; and a copy of all probation/parole reports to the Board within 10 calendar days, failure of which shall constitute a probation violation. Such Respondents shall provide their probation or parole officer with written notice of the Board's decision in the case within 15 calendar days, including the name and contact information for the Board staff person who is the Respondent's probation monitor. The Respondent shall provide a copy of this written notice to the Board within 15 calendar days. Failure to timely make these submissions by the 15-day deadline shall constitute a probation violation.

Add Standard Condition 13 — Notify Employees

Add Standard Condition 13 to require Respondents who operate reporting firms to circulate a written copy of the Board's decision to their employees within 30 calendar days. This condition defines "employees" to include all full and part-time, temporary, and relief employees and independent contractors employed or hired by the Respondent. The Respondent shall provide a copy of this written notice to the Board within 10 calendar days.

Add Standard Condition 14 — Notify Owners, Officers

Add Standard Condition 14 to require Respondents who operate reporting firms to submit a written copy of the Board's decision to the owners, officers, and any owner or holder of 10% or more of the interest in the Respondent or Respondent's stock within 30 calendar days, including the name and contact information for the Board staff person who is the Respondent's probation monitor. The Respondent shall provide a copy of this written notice to the Board within 10 calendar days.

Add Standard Condition 15 — Advertising Approval

Add Standard Condition 15 to require Respondents who operate reporting firms to submit proposed advertising copy, which must comply with CCR section 2406 and contain the Respondent's license number, and a written request for approval to the Board at least 30 calendar days prior to its intended use. The Board shall notify the Respondent of their approval or disapproval of the advertising within 30 calendar days.

OPTIONAL CONDITIONS

Add Optional Condition 1 — Notify Employer/Firm

Add Optional Condition 1 to require the Respondent to notify the employer or firm owner with which the Respondent is associated or subcontracted of the decision in the specified case number and any imposed terms, conditions, and restrictions within 30 calendar days, including the name and contact information for the Respondent's probation monitor with the Board. The Respondent shall provide proof of this written notice to the Board within 30 calendar days or within 15 calendar days if the Respondent undertakes new employment or association. This condition defines "associated" as full-time, part-time, temporary, and relief employment or any position for which a court reporters license is required or criterion for employment.

Add Optional Condition 2 — Rehabilitation Program

Add Optional Condition 2 to require the Respondent to submit a request for approval for their chosen drug and/or alcohol abuse rehabilitation program to the Board within 30 calendar days. The Board shall notify the Respondent of their approval or disapproval within 30 calendar days based on verification that the program is legitimate and appropriately licensed. The Respondent shall commence the program within 30 calendar days after the Board's approval and provide the Board with a copy of the certification of successful completion within 30 calendar days after completing the program.

Add Optional Condition 3 — Medical Evaluation/Treatment

Add Optional Condition 3 to require the Respondent to pay for and undergo a medical evaluation by a Board-approved physician within 30 calendar days and periodically thereafter, failure of which shall constitute a probation violation. The evaluating physician shall submit a written medical report to the Board within 30 calendar days after the evaluation on a quarterly basis or as required by the Board. The Respondent shall authorize the evaluator to release to the Board a current diagnosis and a written report regarding the Respondent's ability to function independently and safely, which the Board shall keep confidential. If physical or mental treatment is required, the Respondent shall submit a request for approval for their chosen physician or psychotherapist to the Board within 30 calendar days. The Board shall notify the Respondent of their approval or disapproval within 30 calendar days based on verification that the physician or psychotherapist is actively licensed in good standing and does not have a current or prior personal relationship with the Respondent. The Respondent shall pay for and undergo and continue treatment within 30 calendar days after the Board's approval until the Board's further written notice. The Respondent shall have the treating physician submit written quarterly reports regarding the Respondent's treatment progress to the Board and authorize the treating physician or psychotherapist to release to the Board a current diagnosis and a written report regarding the Respondent's treatment progress, which the Board shall keep confidential. Failure to timely submit a request for approval of a physician or psychotherapist or to schedule physical or mental treatment by the 30-day deadline shall constitute a probation violation. If the Respondent is determined to be unable to practice safely, the physician or psychotherapist shall notify the Board and Respondent within five (5) calendar days, and the Board shall seek to revoke the license or probation. The Respondent shall immediately cease practice upon written notice from the Board and shall not resume practice or otherwise engage in any practice that requires a court reporter's license until notified by the Board that they may resume practice. The nonpractice period shall not apply to the reduction of the probation period.

Add Optional Condition 4 — Psychological Evaluation

Add Optional Condition 4 to require Respondents whose cases involve a sex crime, serious felony, or history of drug or alcohol abuse or violence to pay for and undergo psychological evaluation by a licensed psychologist or psychiatrist within 30 calendar days after written notice by the Board and periodically thereafter. This condition states that a history of drug or alcohol abuse or violence shall be based on the Board's

evaluation of evidence indicating that the Respondent may have a physical or mental ailment or condition, including an addiction, that may have contributed to the violation. The Respondent shall submit a request for approval for their chosen psychologist or psychiatrist to the Board within 30 calendar days, and the Board shall notify the Respondent of their approval or disapproval within 30 calendar days based on verification that the psychologist or psychiatrist is actively licensed in good standing and does not have a current or prior personal relationship with the Respondent. The evaluating physician shall submit a written report to the Board regarding the Respondent's judgment, ability to function independently and safely, and whether they pose a threat to the public within 30 calendar days after the psychological evaluation, which the Board shall keep confidential. The Respondent shall authorize the evaluator to release to the Board a current diagnosis and a written report regarding the Respondent's ability to function independently and safely. Failure to timely submit a request for approval of a psychologist or psychiatrist or to schedule mental treatment by the 30-day deadline shall constitute a probation violation. If the Respondent is determined to be unable to practice safely, the mental health practitioner shall notify the Board and Respondent within five (5) calendar days, and the Board shall seek to revoke the license or probation. The Respondent shall immediately cease practice upon written notice from the Board and shall not resume practice or otherwise engage in any practice that requires a court reporter's license until notified by the Board that they may resume practice. The nonpractice period shall not apply to the reduction of the probation period.

Add Optional Condition 5 — Psychotherapy

Add Optional Condition 5 to require Respondents whose cases involve a sex crime, serious felony, or history of drug or alcohol abuse or violence to pay for and undergo psychotherapy with a licensed therapist within 30 calendar days after written notice by the Board and periodically thereafter until notified by the Board. This condition states that a history of drug or alcohol abuse or violence shall be based on the Board's evaluation of evidence indicating that the Respondent may have a physical or mental ailment or condition, including an addiction, that may have contributed to the violation. The Respondent shall submit a request for approval for their chosen therapist to the Board within 30 calendar days, and the Board shall notify the Respondent of their approval or disapproval within 30 calendar days based on verification that the therapist is actively licensed in good standing and has not had a prior business, professional, or personal relationship with the Respondent. The Respondent shall have the treating therapist submit written quarterly reports to the Board regarding the Respondent's judgment, abil-

ity to function independently and safely, and whether they pose a threat to the public. The Respondent shall authorize the therapist to release to the Board a current diagnosis and a written report regarding the Respondent's ability to function independently and safely, which the Board shall keep confidential. Failure to timely submit a request for approval of a therapist or to schedule psychotherapy by the 30-day deadline shall constitute a probation violation. If the Respondent is determined to be unable to practice safely, the therapist shall notify the Board and Respondent within five (5) calendar days, and the Board shall seek to revoke the license or probation. The Respondent shall immediately cease practice upon written notice from the Board and shall not resume practice or otherwise engage in any practice that requires a court reporter's license until notified by the Board that they may resume practice. The nonpractice period shall not apply to the reduction of the probation period.

Add Optional Condition 6 — Attend Courses

Add Optional Condition 6 to require the Respondent to pay for and attend a Board-recognized court reporting school, complete the final examination in one or more specified courses, and provide the Board with proof of successful completion within 30 calendar days after completion.

Add Optional Condition 7 — Retake Licensing Examination

Add Optional Condition 7 to require the Respondent to pay for and pass the specified part(s) of the licensing examination at the next scheduled examination administration. If the Respondent fails the examination, the Board shall order the Respondent to cease practice until they take and pass the examination.

Add Optional Condition 8 — Proof of Advertising Correction

Add Optional Condition 8 to require the Respondent to correct any noncompliant advertising within 30 calendar days. The Respondent shall cease practice until proof of advertising correction has been submitted to and approved by the Board and the Board has notified the Respondent within 30 calendar days that they may resume practice.

Add Optional Condition 9 — Reimbursement of Probation Program

Add Optional Condition 9 to require the Respondent to reimburse the Board for the hourly costs of monitoring their probation program in the specified yearly or monthly dollar amount.

Add Optional Condition 10 — Abstain from Drugs/ Submit to Biological Fluid Testing

Add Optional Condition 10 to require Respondents who have a history of drug abuse or addiction to abstain from controlled substances and dangerous drugs unless lawfully prescribed for an illness or medical

condition and to pay for and submit to biological fluid testing or other drug screening within five (5) calendar days after requested by the Board and at the frequency determined by the Board. The Respondent shall ensure that the testing agency submits a written report directly to the Board within 30 calendar days, which shall not be confidential because any confirmed positive findings constitute a probation violation. This condition contains a note to include Optional Condition 11 relating to alcohol use for all cases that include this condition.

Add Optional Condition 11 — Abstain from Use of Alcohol/Submit to Biological Fluid Testing

Add Optional Condition 11 to require Respondents who have a history of alcohol abuse or addiction to abstain from alcoholic beverages and to pay for and submit to biological fluid testing within five (5) calendar days after requested by the Board and at the frequency determined by the Board. The Respondent shall ensure that the testing agency submits a written report directly to the Board within 30 calendar days, which shall not be confidential because any confirmed positive findings constitute a probation violation. This condition contains a note to include Optional Condition 10 relating to drug use for all cases that include this condition.

Add Optional Condition 12 — Provision of Records

Add Optional Condition 12 to require the Respondent to provide specific records for inspection by the Board within 30 calendar days.

Add Optional Condition 13 — “Actual Revocation”

Add Optional Condition 13 to require that an actual revocation be included as an optional condition in the event of a probation violation for Stayed Revocation cases.

Add Optional Condition 14 — “Actual Suspension”

Add Optional Condition 14 to require that an actual suspension be included as an optional condition in the event of a probation violation for Stayed Suspension cases.

Add Chapter VI: Model Orders

Add a chapter on Model Orders to establish consistent language that the Board recommends be used in decisions under the following four categories — Licensee, Petition for Reinstatement, Petition to Revoke Probation/Revocation of Probation, and Applicant.

A. Licensee

Add Model Order for Revocation of License

Add a Model Order regarding the revocation of a license with fields for the Respondent's license number and name and the cost recovery dollar amount that must be paid within 30 calendar days or prior to reinstatement of the license, as well as information about the relinquishment of licenses within 10 calendar days

and petition for license reinstatement or penalty reduction that may be submitted to the Board after at least one year after the effective date of the decision and no later than three (3) years after the license expiration date. The order also contains an option that may be included relating to cost recovery and reinstatement fee conditions precedent to license reinstatement.

Add Model Order for Suspension of License

Add a Model Order regarding the suspension of a license with fields for the Respondent’s license number and name, the suspension period in calendar days, and cost recovery dollar amount that must be paid within 30 calendar days, as well as information about the relinquishment of licenses within 10 calendar days and petition for license reinstatement or penalty reduction that may be submitted to the Board after at least one year after the effective date of the decision.

Add Model Order for Revocation Stayed and Licensee Placed on Probation

Add a Model Order regarding the revocation of a license that is stayed, and the licensee is placed on probation, with fields for the Respondent’s license number and name, the number of years of probation, and all Standard and applicable Optional Conditions of probation, noncompliance with which shall result in the stay being lifted and the Board recommending actual revocation is imposed.

Add Model Order for Suspension Stayed and Licensee Placed on Probation

Add a Model Order regarding the suspension of a license that is stayed, and the licensee is placed on probation, with fields for the Respondent’s license number and name, the number of years of probation, and all Standard and applicable Optional Conditions of probation, noncompliance with which shall result in the stay being lifted and the Board recommending a one–year actual suspension is imposed.

Add Model Order for Public Repeval

Add a Model Order regarding the public reprovall of a license, which constitutes a disciplinary action by the Board, with fields for the Respondent’s license number and name.

Add Model Order for Surrender of License in Lieu of Revocation

Add a Model Order regarding the surrender of a license in lieu of revocation, which shall be submitted within 10 calendar days and constitutes a disciplinary action by the Board, with fields for the Respondent’s name and license number.

B. Petition for Reinstatement

Add Model Order Category B. Petition for Reinstatement

Add a Model Order category regarding petitions for reinstatement that may be submitted to the Board after at least one year after the effective date of the deci-

sion and no later than three (3) years after the license expiration date.

Add Model Order to Grant Petition with No Restrictions on License

Add a Model Order regarding granting a petition for reinstatement with no restrictions on the license with fields for the Respondent’s name and license number.

Add Model Order to Grant Petition and Place Licensee on Probation

Add a Model Order regarding granting a petition for reinstatement and placing the licensee on probation with fields for the Respondent’s name and license number, the number of years of probation, and all Standard and applicable Optional Conditions of probation.

Add Model Order to Grant Petition and Place Licensee on Probation After Completion of Conditions Precedent

Add a Model Order regarding granting a petition for reinstatement and placing the licensee on probation after completion of specified conditions precedent with fields for the Respondent’s name and license number, the number of years of probation, and all Standard and applicable Optional Conditions of probation.

Add Model Order to Deny Petition

Add a Model Order regarding denying a petition for reinstatement with fields for the Respondent’s name and license number.

C. Petition to Revoke Probation/Revocation of Probation

Add Model Order for Petition to Revoke Probation/Revocation of Probation

Add a Model Order regarding a petition to revoke probation that may be submitted to the Board after at least one year after the effective date of the decision and no later than three (3) years after the license expiration date with fields for the Respondent’s license number and name.

Add Model Order for Extension of Probation

Add a Model Order regarding an extension of probation with fields for the Respondent’s license number and name, the additional number of years of probation, and all Standard and applicable Optional Conditions of probation.

D. Applicant

Add Model Order to Grant Application with No Restrictions on License

Add a Model Order for use in cases where a Statement of Issues has been filed regarding granting an application for initial licensure with no restrictions on the license after successful completion of all licensing requirements and payment of all fees with a field for the Respondent’s name.

Add Model Order to Grant Application and Place Licensee on Probation

Add a Model Order for use in cases where a Statement of Issues has been filed regarding granting an application for initial licensure and placing the licensee on probation after successful completion of all licensing requirements and payment of all fees with fields for the Respondent’s name, the number of years of probation, and all Standard and applicable Optional Conditions of probation.

Add Model Order to Grant Application and Place Licensee on Probation After Completion of Conditions Precedent

Add a Model Order for use in cases where a Statement of Issues has been filed regarding granting an application for initial licensure after completion of specified conditions precedent and placing the licensee on probation after successful completion of all licensing requirements and payment of all fees with fields for the Respondent’s name, the number of years of probation, and all Standard and applicable Optional Conditions of probation.

Add Model Order to Deny Application

Add a Model Order for use in cases where a Statement of Issues has been filed regarding denying an application for initial licensure with a field for the Respondent’s name.

ANTICIPATED BENEFITS
OF THE PROPOSAL

The Board has determined that this regulatory proposal will affect the health and welfare of California residents and worker safety as follows: This rulemaking proposal will protect consumers and the public by making the Guidelines consistent with current law and the current probationary environment, clarifying the terms and conditions of probation to reduce the likelihood of misinterpretation, and providing model orders to increase consistency of language used in license denials and disciplinary decisions. The proposal is also anticipated to benefit the Board, Administrative Law Judges (ALJs), Deputy Attorneys General, and others involved in the disciplinary and license denial processes by providing updated guidelines to reference when imposing disciplinary and license denial actions against licensees and applicants (Respondents). The proposal will also educate licensees and applicants on possible implications of violating licensing laws and may serve as a deterrent to such actions. The regulatory proposal will improve the consistency of penalties for violations of laws relating to court reporting and accompanying regulations. This regulatory proposal promotes the fairness and standardization of cases requiring license denials or formal discipline by clarifying the conditions under which applicants

shall be subject to license denials and licensees shall be subject to varying levels of enforcement actions and terms and conditions of probation, as applicable.

This regulatory proposal will not affect the state’s environment as this proposal is not related to the environment.

Evaluation of Consistency and Compatibility with Existing State Regulations

During the process of developing this regulatory proposal, the Board has conducted a search of any similar regulations on these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

Incorporation by Reference

This proposal would repeal the 1989 Guidelines that are incorporated by reference, and incorporate by reference the document entitled “Disciplinary and Denial Guidelines” (New [effective date to be inserted by the Office of Administrative Law]). The Guidelines are incorporated by reference as they are too lengthy and cumbersome to be included in the CCR.

DISCLOSURES REGARDING THIS
PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None. The regulations do not result in a fiscal impact to the state.

This proposal updates the Disciplinary Guidelines to provide a more accurate overview of the Board’s processes in formal disciplinary and denial actions, which will provide greater clarity to licensees, applicants, consumers, the Board, the Office of Attorney General, and ALJs by outlining relevant and transparent standards directly related to violations outlined in law.

The Board does not anticipate additional workload or costs resulting from the proposed regulations. Any workload and costs of implementation are a result of current law. In addition, this proposal does not change the fines for violations, so no additional revenues are expected.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

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

Mandate Imposed on Local Agency or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

The Board has made the 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 initial determination is based on the following facts/evidence/documents or testimony:

The Board’s existing Disciplinary Guidelines have been in regulation and in use since 1997. The proposed regulatory action only impacts licensees who are disciplined and applicants who are denied licensure by the Board for violations of the laws and regulations within its jurisdiction. The proposed regulatory action affects a negligible number of licensees and applicants who, through their own conduct, subject themselves to disciplinary action or license denial for violations of the laws and regulations within the Board’s jurisdiction.

Any adverse economic impact would only occur as the result of a disciplinary or denial order following a formal administrative proceeding and a finding of fact affirming a violation of the laws or regulations, or both, within the Board’s jurisdiction. Any potential adverse economic impact on licensees and applicants may be avoided simply by complying with the laws and regulations governing the practice of court reporting in California.

Cost Impact on Representative Private Person or Business

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

The proposed regulatory action only impacts licensees who are disciplined and applicants who are denied licensure by the Board for violations of the laws and regulations within its jurisdiction. Any adverse economic impact would only occur as the result of a disciplinary or denial order following a formal administrative proceeding and a finding of fact affirming a violation of the laws or regulations, or both, within the Board’s jurisdiction. Any potential cost impact on representative private person or business may be avoided simply by complying with the laws and regulations governing the practice of court reporting in California.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The Board has determined this regulatory proposal will:

- Not create or eliminate jobs in California,

- Not create new businesses or eliminate existing businesses in California, and,
- Not expand businesses currently doing business in California.

The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California. This initial determination is because the proposed regulation only affects licensees that have been disciplined by the Board. Additionally, licensees on probation are currently subject to these Disciplinary Guidelines.

The Board has determined that this regulatory proposal benefits the health and welfare of California residents and worker safety by strengthening the Board’s ability to monitor licensees who are on probation for violation of the laws and regulations within the Board’s jurisdiction.

Additionally, the Board determined that this regulatory amendment will not impact the state’s environment as these changes do not involve the environment.

Benefits of Regulation

The Board has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents and worker safety: The Board has determined that updating its Disciplinary Guidelines through this regulatory proposal will benefit the health, safety, and welfare of California residents and worker safety because it will provide protection to California residents by enhancing the Board’s ability to take appropriate action against licensees and applicants who, through their own conduct, expose themselves to administrative disciplinary action or license denial for violations of the laws and regulations within the Board’s jurisdiction and it will strengthen the Board’s ability to monitor licensees who are on probation for violation of the laws and regulations within the Board’s jurisdiction.

This regulatory proposal does not affect the state’s environment as this proposal is not related to the environment.

Business Reporting Requirements

The regulatory action does not require businesses to file a report with the Board.

Effect on Small Business

The Board has determined that the proposed regulation will not have a significant impact on small businesses as it only affects licensees and applicants who, through their own conduct, are disciplined or denied licensure for violations of the statutes and/or regulations relating to court reporting. Businesses, including small businesses operated by licensees and applicants, who comply with the law will not incur any fiscal impact. 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.

This regulatory proposal will not have a significant statewide adverse economic impact directly affecting small businesses including the inability of California small businesses to compete with businesses in other states.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subsection (a)(13), 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 submit comments to the Board in writing relevant to the above determinations at 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833 or by email to the contact persons named in this Notice during the written comment period or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

CRB has compiled a record for this regulatory action, which includes the Initial Statement of Reasons, proposed regulatory text, and all the information upon which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this Notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, any document incorporated by reference, the Initial Statement of Reasons, and all of the information upon which the proposal is based may be obtained upon request from the Board at 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833 or by email to the contact persons named in this Notice.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposal substantially as described herein or may modify such

proposal 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, with the modifications clearly indicated, will be available for review and written comment for 15 calendar days prior to its adoption from the persons designated in this Notice as the “Contact Persons” and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

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

All information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the contact persons 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 persons named below or by accessing the website listed below.

CONTACT PERSONS

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

Name: Betsy Figueira
Address: Court Reporters Board of California
2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833
Telephone Number: (916) 263-3660
Fax Number: (916) 263-3664
Email Address: Betsy.Figueira@dca.ca.gov

The backup contact person is:

Name: Yvonne Fenner
Address: Court Reporters Board of California
2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833
Telephone Number: (916) 263-3660
Fax Number: (916) 263-3664
Email Address: Yvonne.Fenner@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed and modified text, if any, can be accessed through the Board’s website

at <https://www.courtreportersboard.ca.gov/lawsregs/index.shtml>.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

**TITLE 16. PHYSICIAN ASSISTANT
BOARD**

APPLICATION, EXAM SCORES,
ADDRESSES, AND RECORDS

NOTICE IS HEREBY GIVEN that the Physician Assistant Board (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request, addressed to the individuals listed under “Contact Person” in this notice, for a public hearing from any interested person, or their authorized representative, no later than 15 days prior to the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. Comments may also be submitted by mail, facsimile (FAX), or email to the addresses listed under “Contact Persons” in this Notice. The written comment period closes at **5:00 p.m. on Tuesday April 7, 2026**. The Board will consider only comments received at the Board’s office by that time, or comments received at the hearing if the Board holds a hearing.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 115.4, 115.5, 135.4, and 3510 of the Business and Professions Code (BPC) and to implement, interpret, or make specific BPC Sections 30, 31, 480, 114.5, 115.4, 115.4, 115.5, 135.4, 136, 144, 494.5, 3502, 3509, 3521.2, 3513, 3514.1, 3519, 3523, 3527; Civil Code sections 1633.2, 1633.7, and 1798.17; and, Government Code sections 16.5, 6159 and 6162, the Board is considering amending sections 1399.506, 1399.507, and 1399.511 of Article 1 of Division 13.8 of Title 16 of the California Code of Regulations (CCR) and repealing section 1399.546 of Article 4 of Division 13.8 of Title 16 of the CCR.

The Physician Assistant Board (Board) licenses, regulates, and investigates complaints against licensed physician assistants (PAs) in California, totaling approximately 16,378 licensees. It is the Board’s duty to enforce and administer the Physician Assistant Practice Act (Chapter 7.7 (commencing with section 3500) of Division 2 of the Business and Professions Code (BPC)) (Practice Act). The Board is authorized to establish necessary rules and regulations for the enforcement of the Practice Act and the laws subject to its jurisdiction (BPC section 3510).

Since the Board’s licensing application regulation was last revised in 2013, Senate Bill (SB) 697 (Caballero, Chapter 707, Statutes of 2019) became effective on January 1, 2020, and made numerous changes to the Physician Assistant Practice Act (Practice Act), which provides for licensure and regulation of physician assistants (PAs) by the Physician Assistant Board. In addition, laws were enacted to place limitations on the Board’s ability to inquire about criminal history on an application beginning July 1, 2020 (Assembly Bill (AB) 2138, Stats. 2018, chapter 995), require the Board to ask about military service (AB 1057, Stats. 2013, chapter 693, eff. January 1, 2015), and require applications to be expedited, or the initial application and license fee waived, for certain types of applicants who are seeking expedited review of their applications pursuant to BPC sections 115.4, 115.5, and 135.4.

In addition, effective January 1, 2026, Assembly Bill (AB) 1501 (Stats. 2025, chapter 194 — “AB 1501”), will make amendments to the Act to reflect that the Board does not approve PA training programs directly, but rather only recognize the national accrediting agency that accredits PA training programs. Changes to the Board’s existing regulations are therefore necessary to update the Board’s PA training program requirements consistent with amendments made by AB 1501, and to further specify the national accrediting agencies recognized by the Board under which programs will be “deemed approved” by the Board.

This rulemaking updates the Board’s regulations by setting out the information and processes required for submission of an initial application and evaluation of eligibility for PA licensure and updating associated licensure requirements in accordance with changes to laws and regulations and current licensing processes, including transition to an online electronic application process. These changes would include:

- (1) updating the Board’s initial licensing application requirements in California Code of Regulations, title 16 (CCR), section 1399.506 and establishing the Board’s application submission process in regulations as specified,

- (2) updating requirements for showing proof of successful completion of the National Commission on Certification of Physician Assistants' (NCCPA) national examination (Physician Assistant National Certifying Examination (PANCE)),
- (3) updating requirements for showing graduation from an approved PA training program as specified,
- (4) removing the Board's current obligation in regulations in CCR section 1399.507 to establish a passing score on the written examination administered by the NCCPA and instead specifying that the score is set by the NCCPA,
- (5) specifying the name of the written examination required for licensure as "Physician Assistant National Certifying Examination (PANCE)" in CCR section 1399.507,
- (6) updating current requirements in CCR section 1399.11 for notice of changes of address to the Board by licensees and applicants including adding an applicant's obligation to provide an address of record that will be released by the Board to the public and posted on the website and a residential address to be used by the Board for correspondence and service of documents on the applicant;
- (7) amending CCR section 1399.530 to: remove the existing title of "General Requirements for an Approved Program" and replace it with a new title "National Accrediting Agencies Approved by the Board"; remove and update references to the Board's existing standards for approving PA training programs in compliance with AB 1501; and to further specify which national accrediting agencies are approved by the Board to accredit PA training programs, as specified;
- (8) repealing CCR section 1399.546, which currently imposes requirements for reporting of physician assistant supervision that are now determined within a practice agreement between a PA and the supervising physician and surgeon in accordance with changes made by SB 697; and,
- (9) updating requirements for approved PA training programs including repealing CCR sections 1399.535, 1399.536, 1399.538, 1399.539, and 1399.556 to reflect recent statutory changes that will eliminate the Board's authority to approve physician assistant training programs directly, effective January 1, 2026, under the provisions of AB 1501.

Anticipated Benefits of the Proposal:

Overall, the proposed amendments bring the Board's regulations up-to-date and bring the Board's regulations into compliance with recent statutory changes. The proposed amendments to CCR section 1399.506

place all the information, documents and processes required for initial licensure in one convenient location and for greater applicant notice, as established on the application for licensure. The proposed amendments to CCR section 1399.507 comply with recently amended Business and Professions Code (BPC) section 3517, while the proposed amendments to CCR section 1399.511 clarify that an address of record will be posted on the Board's public website and that applicants must also provide a residential address to the Board; changes of addresses must be reported to the Board as specified. These requirements provide greater notice and transparency regarding application, eligibility and licensing requirements for applicants and licensees. The proposed amendments to amend CCR section 1399.530 and to repeal CCR sections 1399.535, 1399.536, 1399.538, 1399.539, 1399.546 and 1399.556 help avoid licensee confusion and remove obsolete provisions that conflict with recent statutory changes to the Act, providing greater transparency as to the Board's requirements for licensure.

Consistency and Compatibility with Existing State Regulations: During the process of developing these regulations and amendments, the Board has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has made the following initial determinations:

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: The regulations do not result in additional workload costs to the state because the Board is already in compliance pursuant to current law.

However, this proposal does result in reduced costs by shifting the payments to process credit and debit card transactions from the Board to the applicant. The Board has historically paid the credit and debit card transaction fees on behalf of applicants through a contract with credit and debit card vendors. The Board has typically paid up to approximately \$50,000 per year in credit and debit card convenience fees.

Under this proposal, the Board has updated the contract with the credit and debit card providers to a flat rate of \$1,000 per year to allow applicants to pay the credit or debit card convenience fee online. As a re-

sult, this proposal will result in cost savings to the Board of approximately \$49,000 per year.

The proposed regulations do not result in costs or saving in federal funds to the state.

Mandate on local agencies or school districts: None.

Cost to any local agency or school district for which Government Code sections 17500 through 17630 requires reimbursement: None.

Nondiscretionary costs or savings to local agencies: None.

Significant effect on housing costs: None.

Business Impact Estimates

The Board has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This initial determination is based on the fact that the Board is proposing to update existing requirements for this regulation and many of the requirements of this regulation are already imposed by the statutory changes created by the passage of SB 697 and AB 1501, so that any economic impact is not the result of this regulation.

However, to the extent the credit card convenience fee is paid by a business on behalf of a licensee or applicant, costs would increase a nominal amount.

Cost impact on representative private person or business: The regulations may increase costs to individuals or business in the event any fees are paid online using a credit or debit card. The additional credit card and debit card convenience fees are currently set at 2.3 percent of fee costs, which would range from \$0.23 to \$6.90 per transaction and would be considered a standard and reasonable rate. The Board estimates total cost impacts to applicants of up to \$50,000 per year.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/Businesses

The Board has determined that the proposed regulatory action would not have a significant statewide adverse economic on the following:

- 1) The creation or elimination of jobs within the state,
- 2) The creation of new businesses or the elimination of existing businesses within the state, or,
- 3) The expansion of businesses currently doing business within the state.

This proposal would not have any of the above-referenced impacts as explained in the “Business Impact Estimates” section of this notice.

Benefits of the Regulation

This regulatory proposal will benefit the health and welfare of California residents by updating the Board’s regulations and bringing them into compliance with recent statutory changes. The proposed amendments to CCR section 1399.506 place all the information, documents and processes required for initial licensure in one convenient location and for greater applicant notice, as established on the application of licensure.

The proposed amendments to CCR section 1399.507 comply with recently amended Business and Professions Code (BPC) section 3517, while the proposed amendments to CCR section 1399.511 clarify that an address of record will be posted on the Board’s public website and that applicants must also provide a residential address to the Board; changes of addresses must be reported to the Board as specified. These requirements provide greater notice and transparency regarding application, eligibility and licensing requirements for applicants and licensees. The proposed amendments to amend CCR section 1399.530 and to repeal CCR sections 1399.535, 1399.536, 1399.538, 1399.539, 1399.546 and 1399.556 help avoid licensee confusion and remove obsolete provisions that conflict with recent statutory changes to the Act, providing greater transparency as to the Board’s requirements for licensure.

This regulatory proposal will not affect worker safety or the state’s environment because aligning the Board’s regulations with the changes to statute caused by the passage of SB 697 and other statutes does not impact worker safety or involve environmental issues.

Business Reporting Requirements: The regulatory action does not require businesses to file a report with the Board.

Effect on Small Business: The Board has determined that the proposed regulations would not affect small businesses because the proposal only lists what is currently required for initial applications for licensure, removes language about the Board establishing a passing score for the licensure examination, clarifies requirements to provide the Board with an address of record (mailing address), email address and residential address and any changes to the applicants or licensees current addresses, eliminates recordkeeping requirements that conflict with statute since the passage of SB 697 and eliminates references to PA training program standards and fees made obsolete by the passage of AB 1501, all changes needed to align the Board’s regulations with prevailing law.

However, to the extent the credit card convenience fee is paid by a small business on behalf of a licensee or applicant, costs would increase a nominal amount.

The regulations may increase costs to individuals or business in the event any fees are paid online using a credit or debit card. The additional credit card

and debit card convenience fees are currently set at 2.3 percent of fee costs, which would range from \$0.23 to \$6.90 per transaction and would be considered a standard and reasonable rate. The Board estimates total cost impacts to applicants of up to \$50,000 per year.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), 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 regulation 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 submit comments to the Board in writing relevant to the above determinations at Physician Assistant Board, 2005 Evergreen Street, Suite 2250 Sacramento, CA 95815-3893.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

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, at 2005 Evergreen Street, Suite 2250, Sacramento, CA 95815-3893.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Board, upon its own motion or at the request of any interested party, may adopt the proposed regulations substantially as described in this notice 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, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption

from the persons designated in this Notice as the Contact Persons and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

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 Persons named below or by accessing the website listed below.

CONTACT PERSONS

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

Name: Jasmine Dhillon

Address: 2005 Evergreen Street, Suite 2250
Sacramento, CA 95815-3893

Telephone Number: (279) 666-2838

Fax Number: (916) 263-2671

Email Address: jasmine.dhillon@dca.ca.gov

The backup contact person is:

Name: Kristy Voong

Address: 2005 Evergreen Street, Suite 2250
Sacramento, CA 95815-3893

Telephone Number: (916) 561-8787

Fax Number: (916) 263-2671

Email Address: kristy.voong@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation with modifications noted in underline and strikeout can be accessed through the Board's website at: <https://www.pab.ca.gov/lawsregs/regulations.shtml>.

**TITLE 19. DEPARTMENT OF
FORESTRY AND FIRE
PROTECTION/OFFICE OF THE
STATE FIRE MARSHAL**

45–DAY PUBLIC COMMENT PERIOD
FEBRUARY 20, 2026, THROUGH
APRIL 17, 2026

**CHAPTER 14. HAZARDOUS LIQUID
PIPELINE SAFETY
ARTICLE 8. IN–LINE INSPECTION
REQUIREMENTS**

**IN–LINE INSPECTION REQUIREMENTS
FOR HAZARDOUS LIQUID PIPELINES**

NOTICE IS HEREBY GIVEN pursuant to Government Code Section 11346.6, that the California Department of Forestry and Fire Protection — Office of the State Fire Marshal (“OSFM”) or (“SFM”) proposes to take the regulatory action described below in the Informative Digest implementing Title 19, Division 1, Chapter 14, Article 8 of the California Code of Regulations (CCR), related to the adoption of a new In–line Inspection (ILI) requirements for hazardous liquid pipelines after considering public comments, objections, or recommendations regarding the proposed action.

WRITTEN COMMENT PERIOD

Any interested person or his/her authorized representative may submit written comments relevant to the proposed regulatory action. Written comments will be accepted for 55 days beginning February 20, through April 17, 2026. All written comments received by the end of April 17, 2026, will be considered and responded to as part of the compilation of the rulemaking file and are subject to disclosure under the Public Records Act (Gov. Code Section 7920.000, et seq.). Written comments should be directed to:

- **Email:** Title19Regulations@fire.ca.gov (include in the subject line of the email “Comments: In–line Inspection Requirements”).
- **US Mail postmarked no later than April 17, 2026, to:**

CAL FIRE/Office of the State Fire Marshal
P.O. Box 944246
Sacramento, California 94244–2460
Attention: Jena Garcia, Code Development &
Analysis

Pursuant to Government Code Section 11346.9, the OSFM shall respond to comments submitted during the comment period containing objections and/or recommendations specifically directed at the OSFM’s proposed action or to the procedures followed by the agency in proposing or adopting the action.

PUBLIC HEARING

The OSFM has not scheduled a public hearing on this proposed action. However, the OSFM will hold a public hearing to accept comments if a written request is received from any interested person or his/her authorized representative, no later than 15 days before the close of the 45–day written comment period, pursuant to Government Code Section 11346.8. Submit requests to the contact person indicated below.

STATUTORY AUTHORITY

AUTHORITY

Government Code Sections 51010, 51012.4, 51013, 51013.5, 51014, and 51015; Title 49 of the United States Code Sections 60104 and 60105

REFERENCE

Government Code Sections 51010, 51012.4, 51013, 51013.5, 51014, 51015, 51018.6, 51018.7, and 51018.8; Title 49 of the United States Code Sections 60104, 60105.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

The proposed regulations incorporate several recommendations from the National Transportation Safety Board and statutory mandates to OSFM concerning areas where the risk of a pipeline release could have a significant impact to the public, property, and environment.

This action proposes that all hazardous liquid pipelines be made capable of accommodating ILI tools within 5 years of the effective date of the regulations, unless granted an exemption, based on the construction and operation of the pipeline that will not allow for the accommodation of an ILI. The proposed action requires an operator to develop and follow a robust ILI program that provides for continually assessing the integrity of all pipeline segments. An operator must develop a remediation schedule that prioritizes the defects for evaluation and repair, including the time frame for promptly reviewing and analyzing the integrity assessment results and completing the repairs.

ILI tools can provide a relatively complete examination of the entire length of a pipeline, including information about threats that other assessment methods cannot always identify. ILI tools also provide superior information about flaws that are not yet a threat to pipeline integrity, but that could become so in the future. ILI tools allow these conditions to be monitored over consecutive inspections and remediated before a pipeline failure occurs. Hydrostatic pressure testing, another well-recognized method, reveals flaws (such as wall loss and cracking flaws) that cause pipe failures at pressures that exceed actual operating conditions, but only allows operators to determine whether a pipe will fail or can withstand specified pressure, and does not provide information about the existence of anomalies that could deteriorate over time between tests.

SUMMARY OF EXISTING LAWS AND REGULATIONS

The OSFM regulates the safety of intrastate hazardous liquid pipelines through certification from the United States Department of Transportation — Pipeline and Hazardous Materials Safety Administration (PHMSA). The current PHMSA certification requires the OSFM to conduct six (6) different types of inspections on each intrastate hazardous liquid pipeline operator, and two (2) different types of inspections on each intrastate hazardous liquid pipeline once every five (5) years, among other regulatory requirements. In broad terms, PHMSA requirements are contained in the Federal statute and regulations of Title 49 Code of Federal Regulations, Part 195 and 49 United States Code, Section 60101 et seq., both of which set the minimum regulatory requirements on hazardous liquid pipeline operators. Any state, including California, that maintains a certification from PHMSA may impose additional requirements on hazardous liquid pipeline operators. California adopted statutes and regulations in California Government Code Sections 51010 et seq. and Title 19, California Code of Regulations, Section 2000–2120 providing OSFM with more stringent safety regulatory and enforcement authority over intrastate hazardous liquid pipelines. Recently, the OSFM adopted regulations directed by Senate Bill 295 (Jackson, 2015) to conduct additional California specific inspections of pipelines and pipeline operators on a more frequent annualized basis.

Existing State and Federal laws and regulations focus on protection of the health and safety of individuals and the environment. These laws are promulgated by congress and the state legislature directing the OSFM to regulate the safety of intrastate hazardous liquid pipelines in California. The proposed regulations seek to further improve the protection of the pub-

lic, property, and the environment by closing regulatory gaps where appropriate. The proposed regulations ensure that operators are strengthening the evaluation and remediation of their pipeline integrity threats and are taking action to mitigate the adverse effects of pipeline failures.

SUMMARY OF EFFECT

The types of businesses subject to the proposed regulations are hazardous liquid pipeline operators and owners. These pipelines transport a variety of commodities to and from refineries in California and to surrounding states. Common products shipped include crude oil, gas, diesel, and jet fuel, though other commodities may be shipped via pipelines.

Pursuant to California statute, Government Code Section 11342.610, subdivision (b)(9), “[a] petroleum producer, a natural gas producer, a refiner, or a pipeline” is specifically exempt from the definition of a small business. Regardless of the definitional exemption, the OSFM does not believe that any of the businesses that may be impacted meet the definition of a small business.

COMPARABLE FEDERAL REGULATIONS OR STATUTE

The proposed action does not duplicate or conflict with any federal regulations or statutes.

OBJECTIVE AND ANTICIPATED BENEFITS OF THE PROPOSED REGULATIONS

The proposed regulations are designed to gather timely information by using reliable data sources and aligning key risk factors and parameters in regards of integrity of the pipeline. Operators will be able to gather sufficient information on the pipeline and integrate information about their pipelines to identify the threats the pipeline is facing. This will allow operators to determine the best means of addressing the risks facing their pipelines. Operators will be able to prevent or reduce unexpected leaks or ruptures from pipelines, thereby protecting the public, property, environment, and wildlife from the resultant harm of a hazardous liquid spill. The proposed regulations will reduce the likelihood of a release of hazardous liquid and avoid the resultant economic impacts to the operator, residents, and the State.

EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH EXISTING
STATE REGULATIONS

The OSFM has evaluated the proposed regulations and found that they are not inconsistent or incompatible with existing state regulations.

DOCUMENTS INCORPORATED
BY REFERENCE

The OSFM has incorporated five (5) industry standards and one (1) form to ensure that accurate and consistent methodology and practice are used by operators to address and report the integrity of their pipeline systems.

- American Petroleum Institute (API) Recommended Practice 1160, “Managing System Integrity for Hazardous Liquid Pipelines” (Second Edition, September 2013).
- API Standard 1163, “In-line Inspection System Qualification” (Third Edition, September 2021).
- ASME/ANSI B31.4–2006, “Pipeline Transportation Systems for Liquid Hydrocarbons and Other Liquids” October 20, 2006, (ASME/ANSI B31.4).
- ASME FFS–1 2007, “Fitness–For–Service” June 5, 2007, (ASME FFS–1/API 579).
- NACE International Standard Practice 0102–2010, “In-Line Inspection of Pipelines”, revised March 13, 2010, (NACE SP0102).
- Form ILI–1, “Notification of Proposed In-Line Inspection”, rev. 6/2025.

OTHER MATTERS PRESCRIBED BY
STATUTE APPLICABLE TO THE AGENCY
OR ANY SPECIFIC REGULATION OR
CLASS OF REGULATIONS

There are no other matters prescribed by statute applicable to the OSFM, or to any specific regulation. There are no other matters to identify.

DISCLOSURES REGARDING THE
PROPOSED ACTION

The OSFM has made the following initial determinations concerning the adoption of the proposed regulations:

1. Mandates on local agencies and school districts: **None.**
2. Costs or savings to any state agency: **None.**
3. Cost to any local agency or school district that must be reimbursed in accordance with Government Code Section 17500 through Section 17630: **None.**

4. Other non-discretionary cost or saving imposed on local agencies: **None.**
5. Costs or savings in federal funding to the State of California: **None.**
6. Significant effect on housing costs: **None.**
7. Significant Statewide Adverse Economic Impacts Directly Affecting Businesses and Individuals: Although the proposed action may have an impact on businesses statewide that are operating hazardous liquid pipelines, the OSFM concludes that the adverse economic impact, including the ability of California businesses to compete with businesses in other states, will not be significant. Additionally, pursuant to California statute, Government Code Section 11342.610, subdivision (b)(9), “[a] petroleum producer, a natural gas producer, a refiner, or a pipeline” is specifically exempt from the definition of a small business.
8. Cost impacts on Representative Person or Business: The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

STATEMENT OF THE RESULTS OF THE
ECONOMIC IMPACT ASSESSMENT (EIA)

The Creation or Elimination of Jobs within the State of California

The OSFM has determined that this regulatory proposal will not have an impact on the creation or elimination of jobs. During the crafting of the regulations, stakeholder impacts were considered. Discussions with industry involved in ILI construction and evaluation indicate an increase in activity but do not anticipate hiring more staff to manage an anticipated increased workload. The conclusion reached is that the regulations do not impact how current operations are conducted and therefore will not impact the creation or elimination of jobs.

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

The OSFM has determined that this regulatory proposal will not have an impact on the creation of new businesses or the elimination of existing businesses. The regulations serve to improve pipeline inspections which have no negative effect on the business environment.

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

The OSFM has determined that this regulatory proposal will not have a significant impact and will not limit or discourage the expansion of existing businesses within the State of California.

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

This regulatory proposal provides a direct benefit to the protection of the environment, public health and safety of Californians. The regulations would ensure consistency throughout the State in terms of pipeline technologies and inspection intervals to protect California’s vital natural resources and wildlife, and reduce the risk of future pipeline accidents.

DECLARATION OF EVIDENCE

The OSFM has not relied on any other facts, evidence, documents, testimony, or other evidence to make its initial determination of no statewide adverse economic impact.

ALTERNATIVES STATEMENT

In accordance with Government Code Section 11346.5(a)(13), the OSFM must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

AVAILABILITY STATEMENTS

AVAILABILITY OF RULEMAKING DOCUMENTS

The OSFM will make the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above Sacramento 715 “P” Street address. As of the date of this notice being published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons, documents incorporated by reference, and supporting information. Incorporation by reference is a method that allows a regulation to include provisions from another document without reproducing the full text in the California Code of Regulations (CCR). Pursuant to Title 1 CCR § 20, Program may incorporate a document by reference if: it would be cumbersome or impractical to publish the full document in the CCR; the document is reasonably available to the public; the No-

tice of Proposed Action (NOPA) and Informative Digest as well as the text of the regulation clearly identify the document by title and publication date; the regulation text explicitly states the document is incorporated and specifies which portions are being referenced. After considering publishing the documents incorporated by reference in CCR, the OSFM determined that it would be cumbersome and impractical due to the complexity and length of the documents to be incorporated by reference. Copies may be obtained through the contact persons at the address and/or phone number listed below.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding a public hearing, if requested, and considering all timely and relevant comments received, the OSFM may adopt the proposed regulations substantially as described in this notice. If the OSFM makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the OSFM adopts the regulations as revised. Requests for copies of any modified regulations should be directed to the contact person at the address listed below. The OSFM will accept written comments on the modified regulations for 15 days after the date on which the modifications are made available.

Upon completion, copies of the Final Statement of Reasons may be obtained by contacting Doug Allen at the below address and telephone number or by accessing the website listed above.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of this NOPA, the initial statement of reasons (“ISOR”), the text of the proposed regulations (“TEXT”) and any other materials or documents concerning this rulemaking can be accessed through the Office of the State Fire Marshal web address at: <https://osfm.fire.ca.gov/what-we-do/code-development-and-analysis/title-19-development>.

PLAIN ENGLISH DETERMINATION

The proposed regulations were prepared pursuant to the standard of clarity provided in Government Code Section 11349 and the plain English requirements of Government Code Sections 11342.580 and 11346.2(a)(1). The proposed regulations were written to be easily understood by the parties that will use them.

GENERAL INQUIRY CONTACTS

Jena Garcia, Deputy State Fire Marshal III
(Supervisor)
CAL FIRE/Office of the State Fire Marshal
Code Development and Analysis
715 ‘P’ Street, Suite 900, Sacramento, CA 95814
Jena.Garcia@fire.ca.gov
Phone: (916) 531–7650

SUBSTANTIVE OR TECHNICAL
INQUIRY CONTACTS

Doug Allen, Supervising Pipeline Safety Engineer
CAL FIRE/Office of the State Fire Marshal
OSFM Pipeline Safety
715 ‘P’ Street, Suite 900, Sacramento, CA 95814
Doug.Allen@fire.ca.gov
Phone: (916) 591–0699

Josh Cleaver, Staff Attorney
CAL FIRE/Office of the State Fire Marshal
715 ‘P’ Street, Suite 900, Sacramento, CA 95814
Joshua.Cleaver@fire.ca.gov
Phone: (916) 207–6874

TITLE 22. DEPARTMENT OF AGING

UNIT OF GENERAL PURPOSE
LOCAL GOVERNMENT

Notice is hereby given that the California Department of Aging (CDA) proposes to amend Section 7155 of Title 22, California Code of Regulations (22 CCR 7155), to update the definition of ‘unit of general purpose local government.’ This rulemaking action is intended to make the amended definition permanent after consideration of all comments, objections, and recommendations received regarding the proposal.

PUBLIC PROCEEDINGS

CDA is conducting a 45–day written public proceeding during which time any interested person or such person’s duly authorized representative may present statements, arguments or contentions (hereinafter referred to as comments) relevant to the action described in the Informative Digest/Policy Statement Overview section of this notice.

To request copies of the regulatory proposal in alternate format, please write or call: Selamaria Nua, California Department of Aging, 2880 Gateway

Oaks Drive, Suite 200, Sacramento, CA 95833 at (916) 928–3327 or email to regulations@aging.ca.gov.

PUBLIC HEARINGS

A public hearing regarding this proposed regulatory action is not scheduled. However, CDA will conduct a public hearing if a written request for a public hearing is received from any interested person, or their authorized representative, no later than (15) days prior to the close of the written comment period, pursuant to Government Code section 11346.8.

Assistive Devices

CDA is committed to providing assistive services for individuals with disabilities. Available services include converting written materials into alternative formats such as braille, large print, audiocassette, and computer disk. For public hearings, assistive services may also include sign language interpretation, real–time captioning, note–taking, and reading or writing assistance.

To request these services, please email Dr. Nakia Thierry at dhcl@aging.ca.gov or write to CDA at the address listed above.

Please note: The availability of certain services may be limited if requests are made fewer than 10 business days before the public hearing.

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit comments in writing about the proposed regulatory action. All written comments pertaining to this proposal, regardless of the method of transmittal, must be received by **April 6, 2026**, which is hereby designated as the close of the written period. Comments received after this date will not be considered timely.

Written comments must be submitted as follows:

1. By email to regulations@aging.ca.gov. It is requested that transmission of comments, particularly those with attachments, contain the regulation package identifier “CDA–2026–DHCL–001” in the subject line to facilitate timely identification and review of the comment.
2. By fax transmission to (916) 928–2506.
3. By postal service or hand delivery to:

California Department of Aging
Division of Home Community Living
2880 Gateway Oaks Drive, Suite 200
Sacramento, CA 95833

Attention: Selamaria Nua

All comments, including email or fax transmission, should include the regulation package identifier

‘CDA–2026–DHCL–001’ along with your name and your mailing address or email address for CDA to provide copies of any notices for proposed changes to the regulation text on which additional comments may be solicited.

AUTHORITY AND REFERENCE

CDA proposes to amend the regulation under the authority of Welfare and Institutions Code (WIC) section 9105, which authorizes CDA to administer programs for older adults and individuals with disabilities and to adopt regulations necessary to implement its statutory responsibilities.

This amendment implements, interprets, and clarifies 22 CCR 7155 by updating the designation process for Area Agencies on Aging (AAAs). The revisions explicitly recognize counties as eligible “units of general purpose local government” and clarify CDAs designation authority when counties decline designation. These updates are intended to align regulatory language with statute, reflect current practices, and improve transparency and clarity for local agencies and stakeholders, thereby supporting the effective administration of CDA programs.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Proposal

CDA proposes to amend 22 CCR 7155 which defines the term “unit of general purpose local government.” The current definition is overly broad and does not specify which entities qualify, creating ambiguity in program administration.

The proposed amendment expressly includes counties as a unit of general purpose local government. This revision clarifies eligibility for participation in CDA programs, ensures consistent interpretation and application across jurisdictions, and aligns the regulation with existing state and federal law, including the Older Americans Act (OAA). By updating the definition, CDA seeks to provide clarity for local partners, support coordination with AAAs, and strengthen the effective administration of programs and services for older adults, adults with disabilities, and their caregivers.

Background

CDA administers programs and services that promote the independence, health, and well-being of older adults, adults with disabilities, and their caregivers. In carrying out these responsibilities, CDA works in partnership with local governmental entities that serve as designated planning and service areas under both federal and state law.

The federal OAA establishes the framework for aging services nationwide and requires states to designate planning and service areas to develop and deliver programs at the local level. California implements this requirement through its network of AAAs, which are typically operated by local governmental entities.

22 CCR 7155 defines “unit of general purpose local government.” However, the existing definition does not expressly include counties, despite their long-standing role in administering and supporting aging programs at the local level under the OAA. This omission has led to uncertainty regarding the scope of the definition and the eligibility of counties to be recognized as a unit of general purpose local government for purposes of CDA program administration.

To address this ambiguity, CDA proposes to amend 22 CCR 7155 to explicitly include counties within the definition. This revision reflects established practice, improves regulatory clarity, and ensures consistency with the intent of both federal and state law governing the department’s partnerships with local government entities.

Problem Statement

22 CCR 7155 defines “unit of general purpose local government” but does not expressly identify counties within that definition. This lack of clarity has created uncertainty among stakeholders about whether counties qualify as eligible entities for purposes of CDA programs. The ambiguity has led to inconsistent interpretation and unnecessary administrative complications when designating or working with local governmental partners.

Objectives (Goals) of the Regulation

The primary objective of this regulation is to amend 22 CCR 7155 so that the definition of “unit of general purpose local government” clearly includes counties. By making this revision, CDA seeks to:

- Eliminate ambiguity regarding the eligibility of counties as local governmental entities under CDA programs;
- Promote consistent interpretation and application of the regulation across all jurisdictions;
- Provide clear guidance to local partners, including AAAs, in the designation and administration of planning and service areas; and,
- Strengthen alignment with the federal OAA and state law governing the role of counties in delivering aging services.

Anticipated Benefits

The expected benefits of this proposed regulatory action include:

- Greater clarity in the definition of “unit of general purpose local government.”

- Reduced ambiguity for counties and other local entities regarding eligibility.
- Consistent application of the regulation across all jurisdictions.
- Clearer guidance for AAAs and other local partners.
- Improved alignment with federal and state law governing aging services.
- Increased transparency in program administration.
- More efficient delivery of services to older adults, adults with disabilities, and caregivers.

Evaluation as to Whether the Proposed Regulations are Inconsistent or Incompatible with Existing State and Federal Regulations

CDA has determined that the proposed amendment is consistent with existing state and federal regulations. No other state regulations define “unit of general purpose local government” for CDA program purposes, and the amendment does not conflict with any existing state law.

The proposal is also consistent with the federal OAA, which establishes the framework for designating local entities to administer aging services. Explicitly including counties within the definition aligns the regulation with both state and federal requirements.

**FORMS INCORPORATED BY
REFERENCE (IDENTIFIED IN THE
INFORMATIVE DIGEST)**

None.

**MANDATED BY FEDERAL
LAW OR REGULATIONS**

None.

OTHER STATUTORY REQUIREMENTS

None.

LOCAL MANDATE

CDA has determined that this regulatory action does not mandate local agencies or school districts and incurs no costs requiring state reimbursement under Part 7, beginning with Section 17500 of Division 4 of the Government.

**DISCLOSURES REGARDING THE
PROPOSED ACTION**

FISCAL IMPACT ESTIMATES

Cost to any local agencies or school districts that must be reimbursed pursuant to Section 17561 of Government Code:

CDA has determined that the proposed regulatory action does not mandate any local agencies or school districts.

The cost or savings to any state agency:

CDA does not anticipate any fiscal impact from the proposed amendment. The regulation merely clarifies the definition of “unit of general purpose local government” to explicitly include counties and does not create new duties, programs, or reporting requirements for state agencies. As such, it will not result in additional administrative costs or savings for CDA or any other state agency.

Other Nondiscretionary Cost or Savings Imposed on Local Agencies:

CDA has determined that the proposed regulation will not impact local government.

Cost or Savings in Federal Funding to the State:

CDA has determined that the proposed regulation will not affect federal funding.

HOUSING COSTS

CDA has determined that the proposed regulation would not have an impact on housing costs.

**SIGNIFICANT STATEWIDE ADVERSE
IMPACT ON BUSINESS**

CDA had made an initial determination that the proposed regulation is not expected to have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The amendment clarifies the definition of “unit of general purpose local government” to explicitly include counties and does not impose new requirements on businesses.

ECONOMIC IMPACT ASSESSMENT (EIA)

CDA has determined that the proposed amendment will not have a significant statewide economic impact. The amendment is limited to clarifying the definition of “unit of general purpose local government” in 22 CCR 7155 to explicitly include counties.

A. *The creation or elimination of jobs within the State of California:* The proposed amendment will not create or eliminate jobs in California. It

does not impose new requirements or duties on businesses or local agencies.

- B. *The creation of new businesses or the elimination of existing businesses within the State of California:* The proposed amendment will not create new businesses or eliminate existing businesses in California. The amendment solely provides regulatory clarity and does not alter the way services are delivered by local entities.
- C. *Impact on Business Expansion:* The proposed amendment will not have an impact on the expansion of businesses currently operating in California. Because the regulation only clarifies the definition of “unit of general purpose local government” to expressly include counties, it does not create new obligations, restrictions, or opportunities for private businesses. Accordingly, the proposal is not expected to affect business growth, investment decisions, or competitiveness within the state.
- D. *Benefits to Health, Welfare, Worker Safety, and Environment:* The expected benefits of the regulation include greater clarity and consistency in the designation of local government entities eligible to participate in CDA programs. This will support more effective coordination between CDA and its local partners, ultimately contributing to improved delivery of services for older adults, adults with disabilities, and caregivers. The proposal has no effect on worker safety or the state’s environment.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

CDA has determined that the proposed amendment will not impose a cost on any representative private person or business. The regulation solely clarifies the definition of “unit of general purpose local government” to include counties and does not create new obligations, fees, or reporting requirements for individuals or private entities.

BUSINESS REPORTING REQUIREMENTS

None.

EFFECT ON SMALL BUSINESS

CDA has determined that the proposed amendment will have no effect on small businesses. It applies only to the definition of “unit of general purpose local government” for purposes of CDA program administration and does not regulate private entities.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

None.

ALTERNATIVE CONSIDERED

CDA must determine that no reasonable alternative it considered 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 proposed action, or would be more cost-effective to affected private persons and equally effective in implementing that statutory policy or other provisions of law.

CONTACT PERSON

For any inquiries or comments regarding the proposed rulemaking action, please contact:

Selamaria Nua, Policy Manager
California Department of Aging
Regulations and Policy Development
2880 Gateway Oaks Drive, Suite 200
Sacramento, CA. 95833
Phone: (916) 928-3327
Email: regulations@aging.ca.gov

In the event the contact person is unavailable, please direct inquiries to:

Dr. Nakia Thierry, Staff Services Manager III
Division of Home and Community Living
Email: dhcl@aging.ca.gov

For all inquiries or written comments, please reference the Department regulation package identifier: CDA-2026-DHCL-001.

AVAILABILITY STATEMENTS

CDA has prepared the text of the proposed regulation, an Initial Statement of Reasons (ISOR), and all the information upon which the proposal is based for public review. The designated contact person in this notice serves as the custodian of public records, including reports, documentation, and other materials related to the rulemaking file.

In order to request that a copy of this public notice, the regulation text, and the ISOR or alternate formats for these documents be mailed to you, please send an email to regulations@aging.ca.gov or write to the designated contact person at the address previously noted. Upon request, the document can be provided in an alternative format or another language as a disability-related accommodation.

If CDA makes modifications which are sufficiently related to the originally proposed text, it will make the modified text, with the changes clearly indicated, available to the public for at least 15 days before it adopts the regulation as revised. Please send requests for copies of any modified texts to the attention of Selamaria Nua using the contact information above. CDA will accept written comments on the modified text for 15 days after the date on which it is made available.

FINAL STATEMENT OF REASONS

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

INTERNET ACCESS

The Notice of Proposed Action, Initial Statement of Reasons, and proposed regulation text are available on CDA website: https://aging.ca.gov/Providers_and_Partners/Laws_and_Rulemaking/.

TITLE 22. DEPARTMENT OF HEALTH CARE ACCESS AND INFORMATION

HOSPITAL EQUALITY MEASURES REPORTING PROGRAM

The Department of Health Care Access and Information (HCAI or Department) proposes to amend the existing Hospital Equity Measures Reporting Program regulations, located in the California Code of Regulations, Title 22, Division 7, Chapter 8.4 (Sections 95300–95316). These regulations were originally adopted to implement the Medical Equity Disclosure Act (Act) (Health and Safety Code (HSC) Sections 127370 to 127376).

HCAI now proposes these amendments described below after considering comments and recommendations received from hospitals during the program’s first year of implementation. The proposed changes are intended to clarify requirements, correct technical errors, and improve the program’s effectiveness.

I. PUBLIC HEARING

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

II. WRITTEN PUBLIC COMMENT PERIOD AND CONTACT PERSON

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action. All comments must be received by the Department by 5:00 p.m. on April 7, 2026.

Inquiries and written comments regarding the proposed action should be addressed to the primary contact person named below. Comments delivered by email are suggested. Comments may also be emailed, hand delivered, or mailed.

Morgan Clair, Supervisor
Office of Information Services
Department of Health Care Access and Information
Tel: 916–326–3881
Email: hospitalequity@hcai.ca.gov
Mailing address: 2020 West El Camino Avenue, Suite 1100
Sacramento, CA 95833–1880

Inquiries and comments may also be directed to the backup contact person at the same mailing address:

Irene Serwanga, Health Program Specialist I
Office of Information Services
Department of Health Care Access and Information
Tel: 916–326–3820
Email: hospitalequity@hcai.ca.gov
Mailing address: 2020 West El Camino Avenue, Suite 1100
Sacramento, CA 95833–1880

III. AUTHORITY AND REFERENCE

Health and Safety Code Section 127375 authorizes the Department to amend these regulations. HCAI is proposing to amend regulations in the California Code of Regulations, Title 22, Division 7, Chapter 8.4, Sections 95300–95316. Specifically, HCAI proposes to amend Sections 95300, 95301, 95303, 95304, and 95308, and add Section 95308.1.

IV. INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

a. Summary of Existing Laws and Effect of Proposed Regulations

Legislative goals of the Act are found in HSC Section 127370 including the following statements from subdivisions (a)–(d): “The COVID–19 health emergency has thrown into sharp relief longstanding health inequities along racial, ethnic, and socioeconomic

lines. Black, Hispanic, and Indigenous people have been disproportionately affected during the pandemic; for example, the age-adjusted mortality rate among Black people with COVID-19 is more than three times as high as that of Whites. Disparities in access to care and quality of care contribute to racial health disparities. The disparate impact of the pandemic has highlighted the tiered nature of the current health care system, a structure that significantly impacts the quality of care patients receive along racial, ethnic, and socioeconomic lines. Reporting on the racially disproportionate impact of COVID-19 has called attention to the need for further data on racial and ethnic disparities in health care. Data currently reported by California hospitals that could be used to analyze access to and quality of care by age, sex, race, ethnicity, language, disability status, sexual orientation, gender identity, and socioeconomic status is not available to consumers or the general public.”

Specifically, the Act establishes a new program that requires hospitals and hospital systems to file an annual equity report with HCAI and to post a link to the reports on the main page of their internet websites. While HCAI collects healthcare facility-level reports for financial and utilization data and patient-level data from hospitals, these new annual reports are required to include data related to patient access, quality, and outcomes by race, age, ethnicity, language, disability status, sexual orientation, gender identity, and expected payor. The equity reports are due annually by September 30 with the first report due September 30, 2025. The reports must also include a plan to prioritize and address disparities for vulnerable populations identified in the data. The Act authorizes HCAI to impose a fine up to \$5,000 on hospitals and hospital systems for failure to adopt, update, or submit a health equity report consistent with the requirements.

The Department previously adopted regulations (California Code of Regulations, Title 22, Division 7, Chapter 8.4, sections 95300–95316) to implement, interpret and make specific Article 3 (HSC, Section 127370–127376) of Chapter 2, Part 2, Division 107 of the HSC. Those regulations established and standardized the Department’s requirements for hospital report submissions, including the submission process, measure definitions, stratification requirements, deliverable timelines, deadline extensions, and the assessment of penalties for non-compliance.

Following the first year of the program’s implementation, the Department is now proposing this regulatory action to amend existing regulations. These proposed amendments are based on feedback from stakeholders and lessons learned, and are intended to make technical corrections, clarify reporting requirements, and improve the overall efficiency of the program.

Specifically, the new regulations address the following:

Article 1

§ 95300. Definitions.

- Subdivision (m) defines the document incorporated by reference, Hospital Equity Report: Measures Submission Guide (version 1.2), dated March 10, 2025. The purpose of the proposed changes to § 95300(m) is to incorporate by reference the revised Hospital Equity Report: Measures Submission Guide (MSG) and corresponding version and date. The revised MSG is Hospital Equity Report: Measure Submission Guide (version 1.3) as amended December 22, 2025.
- Subdivision (t) defines the “stratification group.” The proposed changes to subdivision (t) reflect that HCAI proposes to consolidate the stratification tables within the MSG into a single “Stratification Table.” The purpose and necessity of this change to the MSG is further discussed below. “Stratification Table” is capitalized for clarity and internal consistency.

§ 95301. Stratification Categories.

- Subdivision (c) provides that stratification groups in each stratification category are listed in Stratification Tables 1 and 2 of the MSG. The proposed changes to subdivision (c) reflect that HCAI proposes to consolidate the stratification tables into a single “Stratification Table.”

Article 2

§ 95303. Hospital Equity Report.

- Subdivision (b) requires hospital equity reports to conform to the MSG requirements. The proposed changes to subdivision (c) reflect that HCAI proposes to consolidate Stratification Tables 1 and 2 in the MSG into a single table.
- Subdivision (c) provides that, for data that exceeds the threshold of re-identification risk using the Data De-identification Guidelines (DDG), hospitals shall select these data as “suppressed.” HCAI proposes to change this terminology to “masked” to more closely align with current discourse in data for health equity for vulnerable and/or minoritized sociodemographic populations, which have anecdotally linked “data suppression” with censorship.
- Subdivision (d)(7) requires hospitals to include in their equity reports the web address where a report “is published on the hospital’s website.” HCAI proposes to change “is” to “will be” and cross-reference the new Section 95308.1 to clarify the timing of when hospitals will post their reports.

§ 95304. Hospital System Equity Report.

- Subdivision (b)(2) requires hospital systems to include the hospital system CEO or equivalent in a hospital system equity report. The proposed changes remove the term “Hospital System CEO (or equivalent)” to account for hospital systems that lack a centralized CEO or equivalent role.
- The proposed changes to subdivision (b)(8), renumbered as (b)(7), clarify the data aggregation language for hospital system equity reports. The amendment will require a single, consolidated report that includes aggregated data from all affiliated hospitals based on applicable measures.
- The proposed changes to subdivision (d) clarify the timing of when hospital systems must post the hospital system equity report on their websites, if one is available. HCAI proposes to change “is” to “will be” and cross-reference the new Section 95308.1 for clarity and internal consistency.

§ 95308. Method of Submission.

- Subdivision (b)(1) identifies the document incorporated by reference, Format and File Specifications for Submission of the Equity Report (version 1.2), dated March 10, 2025. The purpose of the proposed changes to subdivision (b)(1) is to incorporate by reference the revised Format and File Specifications for Submission of the Equity Report and corresponding version and date. The revised document is the Format and File Specifications for Submission of the Equity Report (version 1.3) as amended December 22, 2025.
- Subdivision (e) provides the requirements for revisions to an equity report by a hospital or hospital system. It further clarifies that revisions submitted within the time frame described in Section 95308, subdivision (e) or as required in accordance with new subdivision (f), are not subject to a fine under Section 95309. The proposed changes to subdivision (e) clarify revisions must be posted on a hospital or hospital system’s website and cross-reference the new Section 95308.1. These changes are necessary for clarity and internal consistency.
- Subdivision (f) outlines the responsibility of hospitals and hospital systems to submit any required report revisions and corrections to the Department. It establishes a deadline for hospitals to correct and resubmit reports and allows for additional time at the Department’s discretion. This subdivision further describes the possible consequences for failure to comply with revision reporting requirements and supports the Department’s obligations to make data and information from equity reports publicly available and ensure compliance with deidentification requirements,

as outlined in Health and Safety Code section 127374, subdivisions (d) and (e).

- The proposed change to the renumbered subdivision (g) allows hospitals and hospital systems to submit the revisions and corrections required by Section 95308, subdivision (f), after the reporting period closure. Establishing this exception helps safeguard patient information and supports the Department’s obligations to make data and information from equity reports publicly available and ensure compliance with deidentification requirements, as outlined in Health and Safety Code section 127374, subdivisions (d) and (e).

§ 95308.1. Website Posting Requirements.

- New proposed Section 95308.1 provides the website posting requirements for hospitals and hospital systems to post hospital equity reports and hospital system equity reports, or revisions thereto, to the hospital or hospital system’s website. Subdivision (b) clarifies that hospitals and hospital systems must post the reports within 15 business days following the publication of the report by HCAI pursuant to HSC Section 127374(d). This subdivision also clarifies HCAI will notify the primary and secondary contact persons of this change when HCAI posts a report. This change is necessary because HCAI reviews the reports pursuant to HSC Section 127374(e), and many hospitals and hospital systems have interpreted the current regulations to require posting on their website prior to HCAI’s review.
- Subdivision (c) clarifies that hospitals and hospital systems must comply with statutory requirements HSC Sections 127373, subdivisions (a)(3) and (d), and 127374, subdivision (e) when posting reports. This subdivision further clarifies that hospitals and hospital systems are solely responsible to ensure any additional content not submitted to HCAI but included in a report or posted with or about a report must comply with the DDG, state and federal privacy laws, and HSC Sections 127373, subdivision (d), and 127374, subdivision (e). This clarification is necessary because some hospitals and hospital systems post additional content in addition to the requirements of Sections 95303 and 95304 that has not been submitted to or reviewed by HCAI.

DOCUMENTS INCORPORATED
BY REFERENCE

Below is a summary of the proposed changes to the documents incorporated by reference listed on page 7.

- The proposed amendments correct the preferred rates for Acute Psychiatric Hospital measures

in the MSG version 1.3. Specifically, the changes update the preferred rates for “Screening for Metabolic Disorders” and “The Joint Commission SUB–3 and SUB–3a” from “preferred low” to “preferred high.”

- In the MSG version 1.3, the proposed amendments change the rate formats of the following three maternal measures to a consistent percentage format (XXX.X) to align with the California Maternal Quality Care Collaborative (CMQCC) measures:
 - CMQCC Nulliparous, Term, Singleton, Vertex (NTSV) Cesarean Birth Rate.
 - CMQCC Vaginal Birth After Cesarean (VBAC) Rate, Uncomplicated.
 - CMQCC Exclusive Breast Milk Feeding.
- In the MSG version 1.3, the proposed amendments provide clarifying instructions to hospitals on the decision criteria for selecting reference groups when multiple groups have the same rate value.
- HCAI proposes to consolidate Stratification Tables 1 and 2 in the MSG version 1.3 for clarity, the reference to Stratification Tables “1 and 2” is removed.
- The proposed amendments align the Format and File Specifications of the Equity Report, version 1.3, with the changes within the MSG version 1.3 to promote clarity, reduce risk of misinterpretation, and supports uniform reporting from hospitals and hospitals systems.
- The proposed amendments update the document titled “Methodology for Calculating All Cause, Unplanned, 30–Day Hospital Readmission Rate, California Department of Health Care Access and Information” to include additional Clinical Classifications Software (CCS), ICD–10–CM, and ICD–10–PCS codes and clarify the inclusion and exclusion criteria for unplanned readmissions.

b. Objectives and Anticipated Benefits of Proposed Regulations

The existing regulations are necessary to achieve standardization, transparency, and the ability to easily compare information presented in hospitals’ equity reports. The regulations were adopted to implement, interpret, and make specific the hospital equity reporting requirements and health equity plans, based on the recommendations of the Hospital Equity Measures Advisory Committee and other stakeholders. The primary purpose of the regulations is to achieve the goals of the Act by identifying disparities to detect areas where certain groups or populations face inequality in access, treatment options, and health outcomes.

While the existing regulations established the foundational requirements, this proposed regulatory action is now necessary to amend these regulations. These amendments are based on comments and recommendations received during the first year of implementation. The purpose of this cleanup package is to make technical corrections, clarify ambiguous language, and streamline reporting processes. These refinements will help ensure the data collected is accurate and comparable, which further supports the goal of identifying disparities.

The proposed amendments refine existing standardized requirements. For example, they include the removal of the term hospital system CEO, clarification of data aggregation language for hospital system reports, clarification of the hospital and hospital system website posting requirements, correction of the preferred rates for Acute Psychiatric Hospital measures in the MSG, standardization of rate formats for three maternal measures to a consistent percentage format, and an update the methodology for calculating the unplanned hospital readmission rate. These changes will improve the reporting efficiency for hospitals and enhance the reliability of data for HCAI.

c. Determination of Inconsistency/Incompatibility with Existing State Regulations

HCAI performed an evaluation of whether there were any regulations on this area and concluded that there are no other state regulations concerning the reporting of Hospital Equity Measures. Therefore, the proposed regulations are not inconsistent or incompatible with existing state regulations.

d. Documents Incorporated by Reference

The following are documents HCAI intends to incorporate by reference through these proposed amendments:

- The Department’s Measures Submission Guide, version 1.3, dated December 22, 2025.
- Department’s Format and File Specification for Submission of the Hospital Equity Report version 1.3, dated December 22, 2025
- Methodology for Calculating All Cause, Unplanned, 30–Day Hospital readmission Rate, California Department of Health Care Access and Information, Version 1.3, dated December 22, 2025.

Documents Relied Upon

- Code Book for the 30–Day All–Cause Unplanned Readmission Following Psychiatric Hospitalization in an Inpatient Psychiatric Facility (IPF) (IPF Unplanned Readmission): <https://qualitynet.cms.gov/ipf/ipfqr/resources>.

V. DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

- A. Mandate on local agencies and school districts: None.
- B. Cost or savings to any state agency: None.
- C. Cost to any local agency or school district which must be reimbursed in accordance with Government Code Sections 17500–17630: None.
- D. Other nondiscretionary cost or savings imposed on local agencies: None.
- E. Cost or savings in federal funding to the state: None.
- F. Cost impact on a representative person or business: There is no fiscal impact associated with these amended regulations, as they clarify existing requirements and do not introduce any new obligations. The amended regulations are necessary to implement Chapter 2, Article 3 of the Medical Equity Disclosure Act (Health and Safety Code Sections 127370–127376). Hospitals or hospital systems are not expected to incur additional costs for uploading the statutorily required equity reports and providing the required information to the online reporting system prescribed by these regulations.
- G. Statewide adverse economic impact directly affecting businesses and individuals: The Department has made an initial determination that the regulations will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- H. Significant effect on housing costs: None.
- I. Cost impact on small businesses: This proposed action does not affect small business because no entities regulated under the proposed action are small businesses.

VI. STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ANALYSIS (EIA)

HCAI has narrowly tailored the proposed amendments to clarify and refine the statutory requirements for hospital equity reporting, based on feedback from the first year of implementation. The proposed amendments do not impose significant reporting burdens; rather, they are intended to make technical corrections and streamline existing requirements.

The existing regulations specify the standardization of reporting requirements for structural and quality measures, standardizing key definitions and stratification categories, specifying hospital and hospital sys-

tem contact information and registration, and establishing firm timetables for deliverables. Furthermore, the existing regulations define the process for report submission, extension requests, and appeals procedures regarding fines related to non-submission of reports. The proposed amendments will making clarifying changes and technical corrections to these existing provisions to improve program efficiency and reporting accuracy.

Therefore, the Department concludes that:

- (1) This regulatory action will not create jobs within the state;
- (2) This regulatory action will not eliminate jobs within the state;
- (3) This regulatory action will not create new businesses;
- (4) This regulatory action will not eliminate existing businesses;
- (5) This regulatory action will not expand businesses currently doing business within the state;
- (6) This regulatory action will not impact workers’ safety;
- (7) This regulatory action will not impact the state’s environment.
- (8) As stated earlier, refinements to the reporting requirements will benefit the health and welfare of California residents by ensuring that data being collected is accurate, which further supports the goal of identifying health care disparities among certain population groups and addressing inequity of health care access.

VII. BUSINESS REPORTING REQUIREMENT

The Department finds it necessary for the health, safety, and welfare of the people of the state that the reporting requirements contained in these regulations apply to businesses.

VIII. CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative it considered 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 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 Department invites interested persons to present statements or arguments with respect to alterna-

tives to the proposed regulations during the written comment period.

IX. AVAILABILITY OF EXPRESS TERMS, INITIAL STATEMENT OF REASONS, AND INFORMATION UPON WHICH PROPOSED RULEMAKING IS BASED

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the address given for the contact persons. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the text of the proposed regulations, information upon which proposed rulemaking is based, the initial statement of reasons, and an economic impact analysis (contained in the initial statement of reasons).

The text is available on the Department’s website at <https://hcai.ca.gov/about/laws-regulations/>.

X. AVAILABILITY OF SUBSTANTIAL CHANGES TO ORIGINAL PROPOSAL

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised.

Please send requests for copies of the modified text to the listed contact person. The modified text will also be available on the website at <https://hcai.ca.gov/about/laws-regulations/>. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

XI. AVAILABILITY OF FINAL STATEMENT OF REASONS

The Final Statement of Reasons, including all of the comments and responses, will be available, after its completion, through the Department’s website at <https://hcai.ca.gov/about/laws-regulations/>. The Final Statement of Reasons will also be available for review from the designated contact person.

XII. AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the proposed

regulations can be accessed through the Department’s website at <https://hcai.ca.gov/about/laws-regulations/>.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

**FISH AND GAME CODE SECTION 1653
CONSISTENCY DETERMINATION
REQUEST FOR LOWER NAVARRO
RIVER & FLUME GULCH CONFLUENCE
RESTORATION PROJECT (TRACKING
NUMBER: 1653-2026-179-001-R1)
MENDOCINO COUNTY**

California Department of Fish and Wildlife (CDFW) received a Request to Approve on February 4, 2026, that The Nature Conservancy proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves the construction of five engineered log structures with associated alcove grading and revegetation, to create winter velocity refugia and rearing habitat for juvenile coho salmon. The proposed project will be carried out on the Navarro River and its tributary Flume Gulch, located within the Mendocino Coast Hydrologic Unit 113.50, Mendocino County, California.

On June 30, 2026, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Lower Navarro River & Flume Gulch Confluence Restoration Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID Number 1B25098UNME) for coverage under the General 401 Order on December 10, 2025.

The Nature Conservancy is requesting a determination that the project and associated documents are complete pursuant to Fish and Game Code section 1653 subdivision (d). If CDFW determines the project is complete, The Nature Conservancy will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) or a Lake

or Streambed Alteration Agreement under Fish and Game Code section 1605 for the proposed project.

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review, based on substantial evidence, that the request is not complete, The Nature Conservancy will have the opportunity to submit under Fish and Game Code section 1652.

DECISION NOT TO PROCEED

BOARD OF PHARMACY

NOTICE OF DECISION NOT TO PROCEED
PURSUANT TO GOVERNMENT CODE
SECTION 11347

RE: NOTICE OF PROPOSED RULEMAKING
CONCERNING MEDICATION–ASSISTED
TREATMENT PROTOCOL

Pursuant to Government Code Section 11347, the California Board of Pharmacy (Board) hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Regulatory Notice Register on June 20, 2025, Register 2025, Number 25–Z. The proposed rulemaking concerned Medication–Assisted Treatment Protocol (OAL Notice Z2025–0610–03).

Following the passage of AB 1503 (Berman, Chapter 196, Statutes of 2025), which went into effect January 1, 2026, establishing a Medication–Assisted Treatment Protocol in regulation is unnecessary due to the transition of pharmacy practice to a standard of care practice model.

Any interested person with questions concerning this rulemaking should contact Debbie Damoth at the Board of Pharmacy at 916–518–3090 or by email at: PharmacyRulemaking@dca.ca.gov.

The Board will also post this Notice of Decision Not to Proceed on its website at https://pharmacy.ca.gov/laws_regs/withdrawn_regs.shtml.

**RULEMAKING
PETITION DECISIONS**

DENTAL BOARD

DECISION ON PETITION TO ADOPT,
AMEND, OR REPEAL REGULATIONS
REGARDING COMPLAINT INTAKE,
REVIEW, EVALUATION, AND CLOSURE
PROCEDURE (DECISION)

On November 4, 2025, Brandon Sotelo (petitioner) submitted a Petition to Adopt, Amend, or Repeal Regulations Regarding Complaint Intake, Review, Evaluation, and Closure Procedure (Petition) to the Dental Board of California (Board). Specifically, the Petition states the petitioner filed complaints with the Board alleging patient abandonment and unprofessional conduct by a licensed dentist. The Petition alleges the complaints were closed because the Board’s investigation did not sustain a violation of the Dental Practice Act.

The Petition asserts the Board did not disclose its reasoning or internal assessment, and the Board did not cite to any of the following:

- The specific regulation(s) that govern how consultants evaluate complaints.
- The criteria used to determine whether evidence supports administrative action.
- The regulatory standard applied in evaluating alleged violations of Business and Professions Code (BPC) section 1680, including patient abandonment.

The Petition states that instead, the Board appears to rely on internal evaluation practices, which:

- Affect all complainants.
- Determine whether enforcement proceeds.
- Are not located in Title 16 of the California Code of Regulations (CCR).
- Were not adopted through the Administrative Procedure Act (APA) (Gov. Code, § 11340 et seq.).

The Petition asserts that if the Board uses such standards in case determinations on a recurring, program–wide basis, those standards constitute rules of general application under CCR, title 1, section 55 and must be adopted as regulations. If they have not been adopted, they may constitute underground regulations prohibited by Government Code section 11340.5.

The Petition requests the following:

1. For the Board to identify the specific regulation(s) in CCR, title 16 that govern: the Board’s use of dental consultants; the evaluation criteria used to determine whether evidence supports a violation; and the standards used when deciding whether to close a complaint.
2. If no such regulation exists, for the Board to initiate formal rulemaking under the APA to adopt regulations that clearly define: the complaint evaluation process; the consultant review process; and the evidentiary standards guiding case closure.
3. If the Board maintains that existing regulations already govern these procedures, for the Board to cite each regulation by section number and provide a copy.

The Petition did not identify any reference to Board authority to take the actions requested or specify the provisions in the CCR that the petitioner is requesting be adopted, amended, or repealed.

In accordance with Government Code section 11340.7, which prescribes the Board’s response, this document serves as the Board’s response to the Petition.

PROVISIONS OF THE CALIFORNIA CODE OF REGULATIONS REQUESTED TO BE AFFECTED: As noted above, the Petition did not identify any sections of the California Code of Regulations requested to be affected, but did describe the nature of the regulations sought to be adopted, amended, or repealed as noted above.

REFERENCE TO AUTHORITY TO TAKE THE REQUESTED ACTION: The Petition did not identify reference to the Board’s authority to take the action requested.

AGENCY DETERMINATION: The Petition is **denied**.

REASONS SUPPORTING THE
AGENCY DETERMINATION

I. RELEVANT LAW AND BOARD GUIDELINES

A. *Requirements Regarding Regulations*

Government Code section 11324.600 defines “regulation” to mean every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

CCR, title 1, section 250 defines “underground regulation” to mean any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in

Government Code section 11342.600, but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA and is not subject to an express statutory exemption from adoption pursuant to the APA.

Government Code section 11340.5, subdivision (a), provides that no state agency shall issue, utilize, enforce, or attempt to enforce any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, which is a regulation, as defined, unless the guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule has been adopted as a regulation and filed with the Secretary of State pursuant to the APA.

The APA requirements do not apply to a regulation that relates only to the internal management of the state agency, a regulation that embodies the only legally tenable interpretation of a provision of law, or a regulation that establishes criteria or guidelines to be used by agency staff performing an investigation or in the prosecution of a case if disclosure of the criteria or guidelines would enable a law violator to avoid detection, facilitate disregard of requirements imposed by law, or give clearly improper advantage to a person who is in an adverse position to the state. (Gov. Code, § 11340.9, subdivisions (d), (e), (f).)

Government Code section 11340.6 generally authorizes any interested person to petition a state agency requesting the adoption, amendment, or repeal of a regulation (with limited exceptions). The petition shall state the following clearly and concisely: (a) the substance or nature of the regulation, amendment, or repeal requested; (b) the reason for the request; and (c) reference to the authority of the state agency to take the action requested. (*Ibid.*)

Upon receipt of a petition requesting adoption, amendment, or repeal of a regulation, Government Code section 11340.7 requires a state agency to (1) notify the petitioner in writing of the receipt of the petition and (2) within 30 days, either deny the petition in writing (indicating why the agency has reached its decision) or schedule the matter for public hearing in accordance with the notice and hearing requirements under Article 5 (commencing with Gov. Code, § 11346). The section further provides that an agency may grant or deny the petition in part, and may grant any other relief or take any other action as it may determine to be warranted by the petition. The section also sets forth reporting requirements of the decision of the agency.

B. *Complaints Submitted to the Board, Evaluation, and Investigation*

The Director of the Department of Consumer Affairs (DCA) receives consumer complaints concerning violations of the BPC relating to businesses and professions licensed by any DCA agency, and regu-

lations promulgated pursuant thereto. (BPC, § 325.) The DCA Director is authorized to make investigations and prosecute actions concerning all matters relating to business activities and subjects under the jurisdiction of DCA. (Gov. Code, §§ 11180, 11181.) The DCA Director may delegate these powers to any officer of DCA to conduct the investigation or hearing. (Gov. Code, § 11182.)

The Board is within the jurisdiction of DCA and is charged with administering the Dental Practice Act by exercising licensing, regulatory, and disciplinary functions. (BPC, §§ 1601.1, subdivision (a), 1601.2.) The Board receives complaints from members of the public and, upon receipt of a complaint against an individual licensed by the Board, is required to take the following actions (BPC, § 129):

- (1) Notify the complainant of the initial administrative action taken on the complainant's complaint within 10 days of receipt.
- (2) Notify the complainant of the final action taken on the complainant's complaint.
- (3) If the complaint is not within the jurisdiction of the Board or if the Board is unable to dispose satisfactorily of the complaint, the Board shall transmit the complaint together with any evidence or information it has concerning the complaint to the agency, public or private, whose authority in the opinion of the Board will provide the most effective means to secure the relief sought. The Board shall notify the complainant of this action and of any other means that may be available to the complainant to secure relief.
- (4) The Board shall, when the Board deems it appropriate, notify the person against whom the complaint is made of the nature of the complaint.

The Board is authorized to inspect books, records, and premises of any dentist licensed under the Dental Practice Act and the licensing documents, records, and premises of any dental assistant permitted under the Dental Practice Act in response to a complaint that a dentist or dental assistant has violated any law or regulation that constitutes grounds for disciplinary action by the Board, and may employ inspectors for this purpose. (BPC, § 1611.5.)

The Board's Executive Officer has delegated authority to investigate and prosecute actions against Board licensees and unlicensed individuals alleged to have violated the Dental Practice Act. (BPC, § 1616.6; CCR, title 16, § 1001, subdivision (b).)

The Board's Enforcement Program is comprised of several units that receive complaints, perform inspections and investigations, and coordinate discipline. The Complaint and Compliance Unit (CCU) of the Enforcement Program performs complaint intake, which includes initial complaint review, including jurisdic-

tion assessments, and if warranted, collecting dental records related to the complaint, obtaining an opinion from Board consultants to determine if a Dental Practice Act violation occurred, forwarding substantiated cases to the Investigations Unit, and closing unsubstantiated cases.

Each case is reviewed based on the allegations made in the complaint and the statutory and regulatory violations, and actions that may be taken on the case include:

- Pursuant to BPC section 129, closed for no jurisdiction and referred to the pertinent state agency.
- Closed as no violation.
- Referred for criminal prosecution.
- Issuance of citation.
- Transmittal to the Office of the Attorney General for preparation of formal disciplinary filings.

CCU staff utilize Desk Procedure Manuals that provide complaint initiation and processing instructions, including submitting complaint acknowledgement letters, and initiating cases in the DCA BreEZe system to track each case, and general case processing procedures.

The Board is authorized to employ individuals, other than peace officers, to perform investigative services and employ individuals to serve as experts. (BPC, § 154.2.) CCR, title 16, section 1018.1 establishes criteria for a Board licensee to serve as an agent of the Board, such as a dental consultant, in various capacities, including to review written statements, dental records, radiographs, and other documents to evaluate the quality of care delivered by licensees who are the subject of complaints received by the Board. There are no guidelines or criteria that the Board uses to set standards for how an expert uses their discretion to determine in every case whether evidence supports a violation or when deciding whether to close a complaint.

Under the California Public Records Act (CPRA), complaint and investigatory files, which may include internal reports, case determinations, and consultant opinions, maintained by the Board, a state licensing agency, are exempt from public disclosure (Gov. Code, § 7923.600, subdivision (a)). Government Code sections 7927.705 and 11181, subdivision (g), and Civil Code section 1798.24, subdivisions (e) and (o), make confidential records related to the investigation of unlawful activity that are divulged to another governmental agency responsible for enforcing laws related to the unlawful activity investigated or discovered.

Further, the CPRA exempts from public disclosure official information acquired in confidence by a public employee in the course of their duty and not open, or officially disclosed, to the public, as there is a necessity for preserving the confidentiality of the information that outweighs the necessity for disclosure in the

interest of justice. (Gov. Code, §§ 7922.000, 7927.705, Evid. Code, § 1040, Civil Code, § 47.) Allowing public access to an agency’s investigations or complaint files and inter–agency deliberations and communications could compromise the review and investigation of these matters and prejudice the outcome of current or future investigations or agency determinations.

Other than the statutes, regulations, and the internal processing guidelines referenced above, the Board does not have any regulations for the Board’s use of dental consultants, the evaluation criteria used to determine whether evidence supports a violation, and the standards used when deciding whether to close a complaint.

II. DISCUSSION

A. *Procedure and Background*

The Petition was submitted on November 4, 2025, after the Board’s standard close of business, two days before the Board’s last quarterly meeting began on November 6, 2025. Due to the Bagley–Keene Open Meeting Act 10–day notice posting requirement in Government Code section 11125, Board discussion of the Petition could not be agendaized for that meeting. The petitioner was sent confirmation of receipt of the Petition and advised the Board would consider the Petition at its next regularly scheduled meeting. The Board’s staff also advised the petitioner in writing that this item would be heard at the February 2026 Board meeting.

In addition, in response to the petitioner’s requests for identification of the regulations that govern the Board’s use of dental consultants, evaluation criterion used to determine whether evidence supports a violation, and the standards used when deciding to close a complaint, the Board provided copies of the CCU desk procedures manuals and internet links to CCR, title 16, section 1018.1 (Board agents), BPC sections 129 (complaint receipt and closure) and 1601.2 (Board authority to license, regulate, discipline), the Board’s Consumer Complaint Frequently Asked Questions, Overview of Enforcement Program and Process, and DCA Complaint Prioritization and Referral Guidelines.

The Board advised the petitioner that pursuant to BPC section 1601.2, the Board, on a case–by–case basis, enforces the provisions of the Dental Practice Act and supporting regulations, and pursuant to the APA, the Board adjudicates formal discipline. Regarding evaluative criteria used to determine whether evidence supports a violation, such criteria would be applied to violations of the Dental Practice Act on a case–by–case basis and reviewed pursuant to the applicable standards of practice. There is no statute, regulation, or Board manual setting forth evaluative criteria that must be applied to every case to determine whether evidence supports a violation.

If the Board decides to deny, in whole or in part, or grant, in whole or in part, the Petition, the Board’s decision must be in writing and transmitted to OAL for publication in the California Regulatory Notice Register, as specified. (Gov. Code, § 11340.7, subdivision (d).) Reference to the Board’s authority to take the action requested must be identified in the decision.

If the Board grants the Petition, the Board would be required to set the matter for hearing as authorized under Government Code section 11340.7, subdivision (a), and satisfy the APA notice and hearing requirements. To do so, the Board would have to submit to OAL notice of a proposed action that complies with Government Code section 11346.5, that requires, in part, reference to the authority under which the regulation is proposed, and reference to the particular code sections or other provisions of law that are being implemented, interpreted, or made specific. The Board also would have to draft an informative digest of the proposed action and determine whether the regulation would impose a mandate as required by Government Code section 11346.5, subdivision (a)(2), (3), and (5). Further, the Department of Finance would have to prepare a fiscal estimate as required by Government Code section 11346.5, subdivision (a)(6).

B. *Analysis of the Petition*

As noted above, the Petition requests the Board to (1) identify specific regulations, (2) initiate a formal rulemaking to adopt regulations, and (3) cite to existing regulations by section number and provide a copy. The Petition appears to assert the reason for the request is to obtain clarification and transparency regarding the regulatory framework used in complaint evaluation, so that: the public may understand the criteria applied; complainants are treated consistently statewide; the Board’s processes comply with the APA; and decision–making procedures are visible, lawful, and reviewable.

Board staff responded to requests 1 and 3 of the Petition by letter and provided copies or internet links to all responsive records owned or prepared by the Board. At this time; it is unclear if the petitioner believes regulations are still necessary or what regulations the Board would promulgate to satisfy request number 2 to adopt regulations that clearly define the complaint evaluation process, the consultant review process, and the evidentiary standards guiding case closure.

The California Supreme Court has clarified regulations subject to the APA as follows:

A regulation subject to the APA thus has two principal identifying characteristics. [...] First, the agency must intend its rule to apply generally, rather than in a specific case. The rule need not, however, apply universally; a rule applies generally so long as it declares how a certain class of cases will be decided.

[...] Second, the rule must ‘implement, interpret, or make specific the law enforced or administered by [the agency], or ... govern [the agency’s] procedure.’ [...] Of course, interpretations that arise in the course of case-specific adjudication are not regulations, though they may be persuasive as precedents in similar subsequent cases.” [Citations omitted.]

(*Tidewater Marine Western, Inc. v. Bradshaw* (1996) 14 Cal.4th 557, 571.) Notably, complaints, the violations alleged therein, evidence collected and received by the Board, and any interpretations of that evidence are made and evaluated on a case-by-case basis. This is especially true for alleged violations that involve the standard of care, such as negligence or incompetence. Expert testimony usually is required to prove the professional standard of care “unless the conduct required by the particular circumstances is within the common knowledge of the layman. [Citation.]” (*Sinz v. Owens* (1949 33 Cal.2d 749, 753; see also *Flowers v. Torrance Memorial Hospital Medical Center* (1994) 8 Cal.4th 992, 1001.)

As noted above, pursuant to Government Code section 11340.9, subdivisions (d) and (e), which relate to internal management of Board staff and guidelines used in performing an investigation or in the prosecution of a case, the Board is not required to promulgate a regulation to implement internal procedures to manually process, evaluate, or investigate complaints or that would enable the violator to avoid detection, facilitate disregard of requirements imposed by law, and clearly give improper advance to a licensee against whom administrative disciplinary action may be taken. Further, the Board is not required to disclose information that reflects its investigative analysis or conclusion or provide justification of the need for secrecy on a case-by-case basis. (*Rackauckas v. Superior Court* (2002) 104 Cal.App.4th 169, 174.) Indeed, creating regulations to advise violators of the Board’s evaluation criteria would compromise the review and investigation of alleged violations, make it easier for violators to circumvent laws and regulations, prejudice the outcome of current or future investigations or the Board’s confidential deliberative process, and undermine the Board’s ability to perform its enforcement functions.

Due to the variety of alleged violations under the Dental Practice Act in complaints submitted to the Board, varying evidence available to substantiate the violation, and potential need for standard of care review by various or independent experts, it is unclear how the Board could develop complaint evaluation and evidentiary standards regulations that would apply in every complaint case. Nevertheless, even if such standards could be possibly promulgated in regulation, such evaluation criteria likely would reveal staff and consultant investigative analysis of evidence and

assist violators in avoiding Board investigation and enforcement.

Further, the Petition fails to specify any regulatory text for adoption, amendment, or repeal, provides no reference to the Board’s authority under which the Board would take the action requested, and fails to identify the particular code sections or other provisions of law to be implemented, interpreted, or made specific. As such, the Board has no ability to provide notice of the proposed Board regulatory action, draft an informative digest, or determine whether the regulation would impose a mandate as required by Government Code section 11346.5, subdivision (a)(2), (3), and (5). In addition, without proposed regulatory text, the Department of Finance would be unable to prepare a fiscal estimate as required by Government Code section 11346.5, subdivision (a)(6).

In sum, the Board is unable to take any action in response to request 2 of the Petition because: (1) it is unclear whether the petitioner still believes the Petition is necessary; (2) it is unclear how regulations could even be drafted in a way to generally apply evaluation criteria to all complaints without giving violators information on how to avoid discipline; (3) the Petition did not provide regulatory text to adopt, amend, or repeal, so the Board would be unable to draft and post the required rulemaking documents; and (4) the Department of Finance also would be unable to prepare the required fiscal estimate. Furthermore, the Board is not required to promulgate a regulation to implement internal procedures to manually process, evaluate, or investigate complaints or that would enable the violator to avoid detection, facilitate disregard of requirements imposed by law, and clearly give improper advance to a licensee against whom administrative disciplinary action may be taken.

III. CONCLUSION

The Petition did not reference the Board authority to take the actions requested in the Petition as required by Government Code section 11340.6, subdivision (c). Further, the Board has responded to Petition requests 1 and 3. The Petition did not include proposed regulation text to resolve Petition request 2, so it is unclear how the Board would resolve the petitioner’s concerns, if any, that may still exist following the Board’s responses to requests 1 and 3. In addition, it is unclear and potentially impossible for the Board to create regulations to generally apply evaluation criteria to all complaints without giving violators information on how to avoid discipline. Rather, such evaluation necessarily is performed on a case-by-case basis.

If the Board granted the Petition and set the matter for hearing, the Board would be unable to satisfy the APA notice and hearing requirements. The Board has no proposed regulatory text from the Petition, no corresponding statutory authority or reference provid-

ed by the Petition, no ability to draft a complete informative digest, and no ability to determine whether the regulation would impose a mandate as required by Government Code section 11346.5, subdivision (a)(2), (3), and (5). Further, without proposed regulatory text, the Department of Finance would be unable to prepare a fiscal estimate as required by Government Code section 11346.5, subdivision (a)(6). For all of these reasons, the Board is denying the Petition.

AGENCY CONTACT PERSON

Brant Nelson, Legislative and Regulatory
Specialist
Dental Board of California
2005 Evergreen Street, Suite 1550
Sacramento, CA 95815
Telephone: (916) 263–2300
Fax Number: (916) 263–2140
Email: Brant.Nelson@dca.ca.gov

NOTICE TO INTERESTED PERSONS: Any interested persons have the right to obtain a copy of the Petition that is the subject of this decision by sending a request to the above–referenced agency contact person.

DATE OF DECISION: February 5, 2026.

MEDICAL BOARD

DATE: February 5, 2026

ACTION: Notice of Decision on Petition for Rulemaking Action

SUBJECT: Petition for Rulemaking Regarding Non–Ablative Procedures Pursuant to Government Code § 11340.6

AGENCY RESPONDING TO PETITION

Medical Board of California (MBC), 2005 Evergreen Street, Suite 1200, Sacramento, CA 95815.

PETITIONERS/PETITION

The Mid–Level Provider Coalition (petitioner) filed a petition with the MBC on January 12, 2026 requesting the MBC to amend Title 16 of the California Code of Regulations (CCR) section 1474 and to “reinterpret” Business and Professions Code (BPC) section 2023.5 with the stated goal “to remove low–risk, surface–level technologies from the overbroad definition of ‘surgical/medical acts.[’]”

CALIFORNIA CODE OF REGULATION REQUESTED TO BE AFFECTED

The only regulation specifically identified by the petitioner for amendment is Title 16 CCR section 1474 (Standardized Procedure Guidelines). This regulation is under Division 14 of Title 16 of the CCR for the Board of Registered Nursing (BRN).

AUTHORITY

Pursuant to BPC section 2018, the MBC may adopt, amend and repeal regulations as necessary to carry into effect the provisions of law relating to the practice of medicine.

DECISION

The petition requests the MBC amend 16 CCR section 1474. This regulation under Division 14 of Title 16 of the CCR, falls within the jurisdiction of the BRN and sets forth standardized procedure guidelines. The authority for promulgating 16 CCR section 1474 is BPC section 2715, which is under the Nursing Practice Act. While these guidelines were jointly promulgated by the MBC and the BRN, the MBC does not have authority to initiate rulemaking for a regulation controlled by the BRN.

Moreover, the petition fails to explain the connection between the stated goal “to remove low–risk, surface–level technologies from the overbroad definition of ‘surgical/medical acts.[’]” and the request to amend 16 CCR section 1474, which provides standardized procedure guidelines and does not define any medical procedures.

The petition also asks the MBC to “reinterpret” BPC section 2023.5, which provides for a review of issues surrounding the use of laser or intense light pulse devices for elective cosmetic procedures. The petition fails to clearly identify how BPC section 2023.5 should be interpreted and whether a regulation pertaining to this section should be amended, adopted, or repealed.

Moreover, under BPC section 2052, the practice of medicine entails attempting to practice or practicing any system or mode of treating the sick or afflicted in this state, or diagnosing, treating, operating for, or prescribing for any ailment, blemish, deformity, disease, disfigurement, disorder, injury, or other physical or mental condition of any person, and requires a physician’s and surgeon’s license or other license permitting the licensee to perform the act. The use of lasers and intense pulse light devices to alter tissue constitutes the practice of medicine under BPC section 2052. The MBC cannot, through regulation, redefine statutory terms, permit unsupervised practice by allied healthcare professionals, or exempt procedures

from the Medical Practice Act. Such changes require legislative action.

For the reasons set forth above, the petition is denied.

Pursuant to Government Code section 11340.7(d), this decision will be transmitted to the Office of Administrative Law for publication in the California Regulatory Notice Register.

CONTACT PERSON

Inquiries concerning this decision may be directed to:

Kerrie Webb
 Attorney III
 Medical Board of California
 2005 Evergreen Street, Suite 1200
 Sacramento, CA 95815
 Phone: 916-263-2389
 Email: Regulations@mbc.ca.gov.

AVAILABILITY OF PETITION

The Petition is available upon request directed to the contact person listed above.

**SUMMARY OF
 REGULATORY ACTIONS**

**REGULATIONS FILED WITH THE
 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.

Department of Forestry and Fire Protection
 File # 2026-0130-01
 Proposition 4 Forest Resilience Grant Program

In this emergency action, the Department of Forestry and Fire Protection (Department) adopts regulations to establish procedures and selection criteria used to select projects for grant funding under the Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024. Pursuant to Revenue and Taxation Code section 90135(e)(1), this is a deemed emergency and remains in effect until repealed or amended by the Department.

Title 14
 Adopt: 1546, 1546.1, 1546.2, 1546.3, 1546.4, 1546.5, 1546.6, 1546.7, 1546.8
 Filed 02/09/2026
 Effective 02/09/2026
 Agency Contact: Alison Leary (916) 591-7834

Department of Fish and Wildlife
 File # 2026-0206-01
 Readoption: Rescinding of Commercial Groundfish Management Measures

In its original emergency action (OAL File Number 2025-0811-05EE), the Department of Fish and Wildlife (Department) amended two sections to rescind the application of the Commercial Groundfish Restriction Area (CGRA) and associated 20-fathom boundary line for commercial groundfish fisheries north of 37° 07' North latitude (Año Nuevo). The original emergency amendments also extended federal trip limits for non-nearshore groundfish stocks into state waters north of 37° 07' North latitude, while commercial retention of quillback rockfish would remain prohibited, statewide. In this emergency re-adopt, the Department further modifies the regulations to remove redundant references from the trip limit tables.

Title 14
 Amend: 150.06, 150.16
 Filed 02/17/2026
 Effective 02/18/2026
 Agency Contact: Mike Randall (916) 902-9109

California Debt Limit Allocation Committee
 File # 2025-1219-01
 CDLAC Regulations Implementing Federal and State Bond Allocation Laws

This file and print only action by the California Debt Limit Allocation Committee (CDLAC) adopts, amends, and repeals regulations governing federal and state bond allocation laws. This action also makes permanent, with additional amendments, emergency regulations governing federal and state bond allocation laws (see OAL file number 2025-0829-03ER). Pursuant to Government Code section 8869.94, subdivision (a), this action is exempt from the procedural requirements of the Administrative Procedure Act, provided CDLAC complies with the alternative procedures of Government Code section 8869.94, subdivision (b). These regulations became effective immediately upon adoption by CDLAC on December 10, 2025 pursuant to Government Code section 8869.94, subdivision (c).

Title 04

Adopt: 5101, 5104, 5107, 5108, 5112
Amend: 5000, 5010 (renumbered to 5001), 5031 (renumbered to 5002), 5032 (renumbered to 5003), 5034 (renumbered to 5004), 5036 (renumbered to 5005), 5050 (renumbered to 5006), 5060 (renumbered to 5007), 5062 (renumbered to 5008), 5063 (renumbered to 5009), 5080 (renumbered to 5010), 5130 (renumbered to 5011), 5140 (renumbered to 5012), 5144 (renumbered to 5103), 5145 (renumbered to 5104), 5146 (renumbered to 5105), 5170 (renumbered to 5100), 5180 (renumbered to 5102), 5210 (renumbered to 5103), 5230 (renumbered to 5105), 5231 (renumbered to 5106), 5240 (renumbered to 5109), 5255 (renumbered to 5110), 5258 (renumbered to 5111)

Repeal: Repealed: 5020, 5021, 5022, 5033, 5035, 5038, 5039, 5051, 5052, 5053, 5054, 5061, 5064, 5065, 5066, 5081, 5082, 5100, 5101, 5104, 5105, 5106, 5120, 5131, 5132, 5141, 5142, 5143, 5150, 5151, 5152, 5153, 5154, 5181, 5182, 5183, 5190, 5191, 5192, 5193, 5194, 5200, 5205, 5211, 5212, 5220, 5232, 5233, 5241, 5250, 5251, 5256, 5259
Filed 02/04/2026
Effective 12/10/2025
Agency Contact: DC Navarrette (925) 813–1947

High-Speed Rail Authority Office of the Inspector General
File # 2026–0112–03
Conflict-of-Interest Code

This is a Conflict-of-Interest Code filing by the Office of the Inspector General, High-Speed Rail Authority has been approved by the Fair Political Practices Commission and submitted to OAL for filing with the Secretary of State and printing in the California Code of Regulations.

Title 02
Adopt: 59940
Filed 02/10/2026
Effective 03/12/2026
Agency Contact: Amanda Millen

Fair Political Practices Commission
File # 2026–0108–02
Conflict-of-Interest Code of the FPPC

This conflict-of-interest code filing by the Fair Political Practices Commission (FPPC) has been approved by the Attorney General and is being submitted for filing with the Secretary of State and printing only pursuant to Fair Political Practices Commission v. Office of Administrative Law, 3 Civil C010924,

California Court of Appeal, Third Appellate District, nonpublished decision, April 27, 1992

Title 02
Amend: 18351
Filed 02/09/2026
Effective 03/11/2026
Agency Contact:
Amanda Apostol (916) 322–5660

Board of Behavioral Sciences
File # 2025–1222–02
Fee Reductions

In this rulemaking action, the Board of Behavioral Sciences reduces fees for applications, examinations, licensure, and renewals for the professionals it regulates.

Title 16
Amend: 1816, 1816.1, 1816.2, 1816.4
Filed 02/04/2026
Effective 07/01/2026
Agency Contact:
Rachael Lanzone (916) 574–7919

Commission on Peace Officer Standards and Training
File # 2025–1223–01
Amend Commission Regulations 1005, 1007, 1008, and 1059 — Instructor’s Guide to Learning Activities and Training and Testing Specification for Peace Officer Basic Courses for Learning Domains 1, 3, 4, 15, 16, 18, 19, 20, 22, 23, 25, 28, 30, 37, and 42.

In this rulemaking action the Commission on Peace Officer Standards and Training updates the Instructor’s Guide to Learning Activities and the Training and Testing Specifications documents incorporated by reference into the California Code of Regulations.

Title 11
Amend: 1005, 1007, 1008, 1059
Filed 02/06/2026
Effective 04/01/2026
Agency Contact: Anita Finner (916) 227–3901

Department of Justice
File # 2025–1223–02
Blackjack-Style Games

In this rulemaking action, the Department of Justice is adopting and amending regulations governing the approval of blackjack-style games and permissible variations. The regulations include the effect of these changes on previously approved games and pending game applications.

Title 11
 Adopt: 2073, 2074, 2075
 Amend: 2010
 Filed 02/06/2026
 Effective 04/01/2026
 Agency Contact:
 Marlon Martinez (213) 269–6437

Department of Justice
 File # 2025–1223–03
 Rotation of Player–Dealer Positioning

In this rulemaking action the Department of Justice adopts regulations regarding the rotation of the player–dealer position and the effect of the regulations on previously approved games and on pending game applications.

Title 11
 Adopt: 2076, 2077
 Filed 02/06/2026
 Effective 04/01/2026
 Agency Contact:
 Marlon Martinez (213) 269–6437

New Motor Vehicle Board
 File # 2025–1230–01
 Annual Board Fees

In this rulemaking action, the New Motor Vehicle Board raises the fee paid by a new motor vehicle dealer or dealer branch for issuance or renewal of its license from \$300 to \$425 and raises the annual fee paid to the Board by a new motor vehicle manufacturer or distributor by raising the numerical coefficient, on which the fee is based, from \$0.45 to \$0.65 per new motor vehicle that was sold, leased or otherwise distributed in California to a consumer of such new motor vehicles.

Title 13
 Amend: 553, 553.20
 Filed 02/10/2026
 Effective 04/01/2026
 Agency Contact: Robin Parker (916) 323–1536

Office of Administrative Law
 File # 2026–0126–02
 eSubmissions Portal

This rulemaking action by the Office of Administrative Law (OAL) implements a new eSubmissions Portal to facilitate state agencies’ electronic submission of documents to OAL which are related to the Administrative Procedure Act rulemaking process. This eSubmissions Portal replaces the previous electronic submission process.

Title 01
 Adopt: 4
 Amend: 3, 5, 6, 6.5, 20, 50, 100
 Filed 02/04/2026
 Effective 04/01/2026
 Agency Contact: Samuel Micon (916) 323–6809

Civil Rights Department
 File # 2026–0202–01
 Conciliation Procedures

In this rulemaking action, the Civil Rights Department (CRD) is adopting, amending, and repealing regulations for conciliating complaints alleging violations of the law that CRD enforces.

Title 02
 Adopt: 10280, 10281
 Amend: 10000, 10001, 10031, 10063
 Repeal: 10024, 10025, 10056, 10057
 Filed 02/17/2026
 Effective 04/01/2026
 Agency Contact:
 Alexandria Sadler (916) 204–5082

Commission on Peace Officer Standards and Training
 File # 2026–0105–02
 Adopt Disciplinary Guidelines

In this resubmitted rulemaking action, the Commission adopts disciplinary guidelines, entitled POST Disciplinary Guidelines for Factors for Consideration of Penalty Related to Peace Officer Certification Actions (March 2025).

Title 11
 Adopt: 1216
 Filed 02/10/2026
 Effective 02/10/2026
 Agency Contact: Michelle Weiler (916) 227–4870

Department of Motor Vehicles
 File # 2026–0127–01
 Requesting Information from the Department

In this rulemaking action, the Department of Motor Vehicles (DMV) is adopting, amending, and repealing regulations pertaining to requesting and inspecting DMV records concerning vehicle registrations or driver’s license file information.

Title 13
 Adopt: 350.47
 Amend: 350.02, 350.04, 350.10, 350.12, 350.16, 350.18, 350.20, 350.22, 350.24, 350.28, 350.34, 350.36, 350.38, 350.44, 350.48, 350.50, 350.53
 Repeal: 350.52, 350.54
 Filed 02/10/2026
 Effective 04/01/2026
 Agency Contact: Randi Calkins (916) 282–7294

Office of the State Fire Marshal

File # 2026-0102-01

State Fire Training 2025 Updates

In this rulemaking action the Office of the State Fire Marshal amends regulations regarding fire service training and education programs and updates the State Fire Training Procedures Manual.

Title 19

Amend: 1990.00, 1990.01, 1990.02, 1990.04,
1990.05, 1990.06, 1990.08, 1990.09, 1990.10,
1990.11, 1990.12

Filed 02/17/2026

Effective 04/01/2026

Agency Contact: Jena Garcia (916) 531-7650

**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 oal.ca.gov.