

TITLE 16: BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS
FINAL STATEMENT OF REASONS

Hearing Date: No hearing was scheduled or requested.

Subject Matter of Proposed Regulations: Delegation of Certain Functions

Sections Affected: Amend Title 16 California Code of Regulations (CCR) section 2503

Updated Information

The Initial Statement of Reasons is included in this rulemaking file. The information contained therein accurately reflects the position of the Board of Vocational Nursing and Psychiatric Technicians (Board) regarding the amendment of the above sections. The Initial Statement of Reasons (ISR) is updated as follows:

After notice and publication of the proposed regulatory language in the Notice Register on November 15, 2024, the 45-day public comment period began on November 15, 2024 and ended on December 30, 2024. The Board received no public comments during the 45-day public comment period.

At the Board’s August 2023 meeting, the Board approved proposed language for revisions to Section 2503 of Title 16 of the California Code of Regulations. The Board directed staff to take all steps necessary to initiate the formal rulemaking process, including noticing the proposed language for a 45-day public comment period, setting the proposed language for a public hearing if requested, and authorizing the Executive Officer to make any non-substantive changes to the rulemaking package and, if no adverse comments were received, to adopt the proposed text as noticed.

The Board did not receive a request to hold a hearing on this rulemaking or any public comments. As a result, the text has been adopted as originally noticed and directed by the Board at its August 2023 Board meeting.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Small Business Impact

The Board has determined that the proposed regulations will not affect small businesses as stated in the “Business Impact Estimates” section of the Notice. Any costs of compliance are a result of current law. This proposal simply conforms the regulation regarding the Executive Officer’s duties to current law and Board enforcement practices and would not affect small businesses.

Anticipated Benefits

The Board has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents:

The objective of this proposal is to ensure that the Board's regulations accurately reflect the duties delegated to the Board's Executive Officer in compliance with the laws related to the Board's jurisdiction in one convenient location. This helps avoid licensee and staff confusion about who is authorized to make decisions on behalf of the Board involving default decisions and the approval of settlement agreements for the revocation of a license. This helps ensure transparency, legal compliance and accuracy in the Board's operations and a well-informed public.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board as part of public comments received or at the Board's meetings would be more effective in carrying out the purpose for which the regulation is proposed, or would be as effective and less burdensome to affected private persons than the adopted regulations, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Board received no public comments related to this rulemaking. Therefore, no reasonable alternatives were presented or considered by the Board.