

**State of California
Office of Administrative Law**

In re:
Board of Vocational Nursing and Psychiatric
Technicians

Regulatory Action:

Title 16, California Code of Regulations

Amend section: 2503

NOTICE OF APPROVAL OF REGULATORY
ACTION

Government Code Section 11349.3

OAL Matter Number: 2024-1231-01

OAL Matter Type: Regular (S)

This rulemaking action by the Board of Vocational Nursing and Psychiatric Technicians amends a regulation, which delegates certain Board functions to the Executive Officer, to further specify delegated authority under Business and Professions Code section 2876.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on April 1, 2025.

Date: February 13, 2025



Nicole C. Carrillo
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Elaine Yamaguchi, Executive
Officer

Copy: Mark Ito

REGULAR

For use by Secretary of State only

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2024-1105-03	REGULATORY ACTION NUMBER 2024-1231-015	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only	
OFFICE OF ADMINISTRATIVE LAW Electronic Submission	OFFICE OF ADMIN. LAW 2024 DEC 31 4:59pm
RECEIVED DATE 11/05/2024	PUBLICATION DATE 11/15/2024
NOTICE	REGULATIONS

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

FEB 13 2025
1:58 PM AB

AGENCY WITH RULEMAKING AUTHORITY
Board of Vocational Nursing and Psychiatric Technicians

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Delegation of Certain Functions	TITLE(S) 16	FIRST SECTION AFFECTED 2503	2. REQUESTED PUBLICATION DATE November 15, 2024
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Mark Ito	TELEPHONE NUMBER (916) 263-7851	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2024, 46-2	PUBLICATION DATE 11/15/24

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Delegation of Certain Functions	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) 16	ADOPT AMEND 2503 REPEAL

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)
N/A

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) Effective on filing with Secretary of State \$100 Changes Without Regulatory Effect Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660) Fair Political Practices Commission State Fire Marshal

Other (Specify) **Kimberly Kirchmeyer, Director, Department of Consumer Affairs**

7. CONTACT PERSON Mark Ito	TELEPHONE NUMBER (916) 263-7851	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Mark.Ito@dca.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Elaine Yamaguchi</i>	DATE Dec 18, 2024
TYPED NAME AND TITLE OF SIGNATORY Elaine Yamaguchi, Executive Officer	

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ENDORSED APPROVED

FEB 13 2025

Office of Administrative Law

CALIFORNIA CODE OF REGULATIONS
TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 25. BOARD OF VOCATIONAL NURSING AND PSYCHIATRIC TECHNICIANS

ORDER OF ADOPTION

Legend:	Added text is indicated with an <u>underline</u> . Omitted text is indicated by (* * * *) Deleted text is indicated by strikeout .
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Amend section 2503 of Division 25 of Title 16 of the California Code of Regulations to read as follows:

§ 2503. Delegation of Certain Functions

The power and discretion conferred by law upon the Board to receive and file accusations; issue notices of hearings, statements to respondent and statements of issues; receive and file notices of defense; determine the time and place of hearings under Section 11508 of the Government Code; issue subpoenas and subpoenas duces tecum; set calendar cases for hearing and perform other functions necessary to the efficient dispatch of the business of the Board in connection with proceedings under the provisions of Sections 11500 through 11528 of the Government Code, prior to the hearing of such proceedings; to adopt a decision entered by default for the revocation of a license and to approve settlement agreements for the revocation, surrender or interim suspension of a license; and the certification and delivery or mailing of copies of decisions under Section 11518 of said code are hereby delegated to and conferred upon the executive officer, or, in the absence of the executive officer from the office of the Board, the assistant executive officer.

NOTE: Authority cited: Section 2854, Business and Professions Code. Reference: Sections 2847.1 and 2876, Business and Professions Code.