

SUMMARY OF PUBLIC COMMENTS AND THE BOARD’S RESPONSES

I.

Introduction

The State Personnel Board (Board) proposes to amend Sections 52.4, 58.4, 243.2, 243.5, and 243.6 of Title 2, Chapter 1, of the Code of Regulations (CCR). A 45-day public comment period on this rulemaking action was held from February 23, 2024 through April 8, 2024. A public hearing was held on April 9, 2024. The comments received by the Board were taken under submission and considered. A summary of those comments and the Board’s responses are below.

II.

Summary of Written Comments from Department of State Hospitals (DSH)

Comment I. 246.3(b)

The Department of State Hospitals is seeking clarification on the proposed regulations for Unlawful Appointments.

“Upon the acceptance of an appeal for a reimbursement hearing, the Board shall schedule the matter for an investigatory hearing.”

DSH is unclear of what happens after the investigatory hearing is scheduled, as there is no further information given for what happens after it is scheduled. Section 243.6(b) mentions filing a Petition for Reconsideration, will this also apply to the investigatory hearing?

Response I.

The Board appreciates DSH for its comment to this regulatory package. After an investigatory hearing is scheduled concerning the amount of reimbursement, the matter will be adjudicated by the investigatory hearing process as outlined in California Code of Regulations, title 2, section 55.2.

DSH is correct, the petition for reconsideration, will also apply to any reimbursement hearings scheduled for investigatory hearing and subsequently adjudicated and decided upon by the Board.

III.

Conclusion:

The Board appreciates the comments and feedback it received regarding this proposed amendment. The modified text with the changes clearly indicated are available to the public as stated in the Notice of Modification to Text of Proposed Regulation.