

# RESPIRATORY CARE BOARD OF CALIFORNIA

## Title 16, California Code of Regulations Article 4 Sponsored Free Health Care Events – Exemptions Requirements Sections 1399.343, 1399.344, 1399.345, and 1399.346

### SECTION 100. CHANGE WITHOUT REGULATORY EFFECT

Pursuant to section 100(b)(3) of Title 1, Division 1, Chapter 1, Article 2 of the California Code of Regulations (CCR), the Respiratory Care Board hereby submits this written statement explaining why the repeal of sections 1399.343, 1399.344, 1399.345, and 1399.346 of Article 4 of Division 13.6 does not materially alter any requirement, right, responsibility, condition, prescription or other regulatory element of any CCR provision.

Subject to the approval of the Office of Administrative Law, the Board proposes to repeal:

- Article 4 (titled “Sponsored Free Health Care Events – Exemption Requirements”); and
- The following sections and their titles: section 1399.343 (titled “Definitions”), section 1399.344 (titled “Sponsoring Entity Registration and Recordkeeping Requirements”), section 1399.345 (titled “Out-of-State Practitioner Authorization to Participate in Sponsored Event”), and section 1399.346 (titled “Termination of Authorization and Appeal”), in Article 4, Division 13.6, Title 16 of the CCR.

#### Explanation of why changes have no regulatory effect:

These proposed changes do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any CCR provision because the underlying statutory authority for sections 1399.343, 1399.344, 1399.345, and 1399.346 (collectively, Article 4 of Division 13.6 of Title 16 of the CCR), which was formerly Business and Professions Code (BPC) section 901, has been repealed by Assembly Bill 512 (Rendon, Chapter 111, Statutes of 2013, section 1), operative January 1, 2018 (copy attached). Subdivision (l) of section 901 extended a previous sunset date from 2014 to 2018, but there have been no further extensions.<sup>1</sup>

Thus, these regulatory sections must be repealed. (Cal. Code Regs., tit. 1, § 100, subd. (a)(2).)

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<sup>1</sup> BPC § 901 (l) This section shall remain in effect only until January 1, 2018, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2018, deletes or extends that date.