

# **BOARD OF BEHAVIORAL SCIENCES**

## **FINAL STATEMENT OF REASONS**

**Hearing Date:** February 17, 2005

**Section(s) Affected:** 1888

### **Updated Information**

The Initial Statement of Reasons is included in the file (Tab II). There were no changes to the proposed regulations.

The Initial Statement of Reasons should have included the following:

- The reference to corporation code was deleted, as it no longer applies.
- The revision date of the Disciplinary Guidelines was changed to 5/21/04.
- Required coursework cannot be used toward continuing education requirements.
- A plan for meeting any coursework requirements must be submitted for prior Board approval.
- There may be a cost or savings impact to individuals depending on the disciplinary penalty the Board imposes

The incorporation by reference method has been used as it would be impractical and cumbersome to publish the disciplinary guidelines in the California Code of Regulations (CCR). The guidelines are intended to assist Administrative Law Judges, attorneys, licensees, and others involved in the disciplinary process. The guidelines were developed to establish consistency and impose the most appropriate penalty in administrative disciplinary actions for similar offenses on a statewide basis. They are extensive and have been printed booklet-style. If the guidelines were incorporated into the CCR, it would increase the size of Division 18 and may cause confusion to the user.

### **Local Mandate**

The proposed regulations do not impose any mandate on local agencies or school districts.

### **Small Business Impact**

The Board has determined that this action will not have a significant adverse economic impact on small businesses. The proposed regulations will only affect individual licensees.

### **Consideration of Alternatives**

The Board has determined that no reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board would be either 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 proposed regulation.

### **Objections or Recommendations/Responses**

There were no objections or recommendations regarding the proposed action.