

## FINAL STATEMENT OF REASONS

**Hearing Date: August 22, 2017**

**Subject Matter of Proposed Regulations: Application Processing and Registrant Advertising**

**Section(s) Affected:** Amend Sections 1805.1 and 1811 of Division 18 of Title 16 of the California Code of Regulations.

### **Updated Information**

The Initial Statement of Reasons is included in the file (Tab III). No updates have been made to that information. Typographical revisions were made to the Order of Adoption text at section 1811, subdivisions (a)(2)(D)(i) and (a)(2)(H)(i). Additionally, a reference section was added to section 1811's "Note" paragraph.

### **Objections or Recommendations/Responses to Comments:**

The Board did not receive any written comment or any objections or recommendations during the public comment period or at the public hearing.

### **Comments Received During the 15-Day Period the Modified Text was Available to the Public**

The Board did not propose any modifications to the proposed regulations, therefore, a 15-day public comment period was not necessary.

### **Small Business Impact:**

The Board has determined that the proposed regulations may affect small businesses. Any business that employs Board registrants are required to comply with the advertising portion of the proposed regulation. If the small business provides business cards for its registrants, it will need to order new ones after the title phase-in period. A small business that does not maintain its own website may also incur minimal costs for changing the employee's title on the business' website.

### **Consideration of Alternatives**

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the BBS would be 1) more effective in carrying out the purpose for which the action is proposed; 2) would be as effective and less burdensome to affected private persons than the proposed regulation; or 3) would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

1. Not adopt the regulations. This alternative was rejected for the following reasons:
  - Not changing section 1805.1 would leave inaccurate and misleading time frames listed in regulation, and would also leave an outdated list of application types in place, which would be confusing and unhelpful to applicants wanting an estimate of how long it might take for the Board to process their application.
  - Not changing section 1811 would leave some inconsistencies between the Board's statutes and regulations. It would be confusing to applicants, registrants and consumers to leave the inconsistencies in place.
2. Adopt the regulations. The Board determined that this alternative is the most feasible because it provides consistency between the statutes and regulations, provides clarity in the titles that can be used in advertising, and provides more useful processing time information to applicants.

### **Finding of Necessity**

The Board of Behavioral Sciences hereby finds that it is necessary for the public health, safety, and welfare of the people of California that this regulation apply to business.

### **Local Mandate**

The proposed regulation does not impose any mandate on local agencies or school districts.