

NOTICE PUBLICATION/REGULATIONS SUBMISSION



(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-09)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2011-0913-05	REGULATORY ACTION NUMBER 2013-0125-01C	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED FILED
IN THE OFFICE OF
2013 MAR 11 PM 1:35
Jenna Brown
JENNA BROWN
REGISTRATION UNIT

AGENCY WITH RULEMAKING AUTHORITY
Department of Developmental Services

AGENCY FILE NUMBER (if any)

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

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	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 Disapproved/Withdrawn		NOTICE REGISTER NUMBER 2011-382	PUBLICATION DATE 9-23-2011	

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Financial Management Services - Participant-Directed Services	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) Z2012-1009-02, 2011-0817-02EKP
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

ACTION(S) AFFECTED List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 58884, 58886, 58887, and 58888
	AMEND 50604, 54355, and 58543
	REPEAL

TITLE(S)
17

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input checked="" 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 Resubmittal of disapproved or withdrawn nonemergency filing (Gov.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 Resubmittal of disapproved or withdrawn emergency filing (Gov.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)

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

<input type="checkbox"/> Effective 30th day after filing with Secretary of State	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON Diana Nicolaou	TELEPHONE NUMBER 916-654-1760	FAX NUMBER (Optional) 916-654-2775	E-MAIL ADDRESS (Optional) diana.nicolaou@dds.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
Hiren Patel

DATE
1/24/13

TYPED NAME AND TITLE OF SIGNATORY
Hiren Patel, Chief Counsel

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAR 11 2013

Office of Administrative Law

**State of California
Office of Administrative Law**

In re:

Department of Developmental Services

Regulatory Action:

Title 17, California Code of Regulations

Adopt sections: 58884, 58886, 58887,
58888

Amend sections: 50604, 54355, 58543

Repeal sections:

NOTICE OF APPROVAL OF CERTIFICATE OF
COMPLIANCE

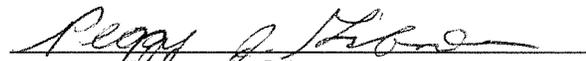
Government Code Section 11349.1 and
11349.6(d)

OAL File No. 2013-0125-01 C

The Department of Developmental Services submitted this timely Certificate of Compliance action to make permanent several adoptions and amendments in Title 17 of the California Code of Regulations. The purpose of this rulemaking is to ensure that the Department of Developmental Services continues to receive federal funds for respite, day care, nursing and transportation services. In order to continue to receive federal funds these services when offered in the Home and Community-Based Services Waiver must be offered in conjunction with the use of a Financial Management Service provider (FMS). The FMS provider assists a family member or adult consumer in verifying worker eligibility status, collecting and processing timesheets of workers, processing payroll, withholdings, filing and payment of applicable federal, state and local employment-related taxes and insurance, performing billing payments and reimbursements as authorized, and maintaining all source documents related to the authorized service(s).

OAL approves this regulatory action pursuant to section 11349.6(d) of the Government Code.

Date: 3/11/2013


Peggy J. Gibson
Senior Counsel

For: DEBRA M. CORNEZ
Director

Original: Terri Delgadillo
Copy: Diana Nicolaou