

DEPARTMENT OF DEVELOPMENTAL SERVICES

NOTICE OF MODIFICATION OF THE TEXT OF PROPOSED REGULATION Regional Center Conflict-of-Interest Regulations Notice of 15-day Comment Period

Government Code Section 11346.8(c) provides that the Department of Developmental Services (Department) may make changes in the proposed regulations, which are substantial, sufficiently related to the initial text as originally noticed on January 11, 2013.

The Department conducted a 45-day public comment period for these proposed regulations ran from January 11, 2013 through February 28, 2013. In response to comments, the Department has modified the originally proposed text.

Summary of the Modifications:

1. Delete "Barclays Official."
2. 54500 - Insert hyphens in "conflict-of-interest" and delete reference to Welfare & Institutions Code (WIC) section 4626.5.
3. 54505(b) - Add "facilities" and "services" and insert hyphens in "conflict-of-interest."
4. 54505(c) – Add additional statutes that define "consumer".
5. 54505(d) – Delete a comma.
6. 54505(f) – Delete "in-laws" and add "parents-in-law, brothers-in-law, sisters-in-law, sons-in-law, and daughters-in-law".
7. 54505(g) – Delete "Member of the Board" and "or".
8. 54505 – Delete reference to WIC sections 4525 and 4626.5.
9. 54520 – Delete commas and add hyphens in "conflict-of-interest."
10. 54521(b) - Modify definition of "Fiscal Matters".
11. 54522 - Delete commas and reference to WIC section 4626.5 and Government Code (GC) section 87103.
12. 54523(c) - Grammar language change and delete reference WIC section 4626.5 and GC sections 1090 and 87103.
13. 54524 – Add hyphens to "conflict-of-interest."
14. 54525 – Delete a comma.
15. 54526 and 54527 - Delete reference to WIC section 4626.5 and GC 87103.
16. 54528 - Add "center" after regional and delete reference to WIC 4626.5 and GC 1090 and 87103.
17. 54529 – Add hyphens to "conflict-of-interest" and delete a comma.
18. 54530(b) - Add qualifying language to the conflict-of-interest situation.
19. 54531 – Delete "reporting", add "or the acting executive director", and delete reference to WIC 4626.5.
20. 54532 – Delete commas, "reporting", "or regional center board position or duties", and reference to WIC section 4626.5.
21. 54533 – Delete commas, "in addition", and reference to WIC section 4626.5.
22. 54534 – Delete commas.
23. 54535 – Add hyphen to "30-day period."

24. Modification of the Initial Statement of Reasons (ISOR) regarding the definition of “Member of the Board or Member”; the definition of “fiscal matters”; Conflict of Interest for Regional Center Advisory Committee; Financial Interests In Decisions Creating a Conflict of Interest for Regional Center Governing Board Members and Executive Directors; Financial Interests in Contracts Creating a Conflict of Interest for Regional Center Governing Board Members and Executive Directors; Financial Interests in Decisions Creating a Conflict of Interest for Employees, Contractors, Agents or Consultants; Financial Interests in Contracts Creating a Conflict of Interest for Regional Center Employees, Contractors, Agents and Consultants; Conflict of Interest Reporting Statements for Employees, Contractors, Agents and Consultants, Time for Filing; Present or Potential Conflict of Interest Identified, Proposed Conflict Resolution Plan Content, Timelines for Submission of Proposed Conflict Resolution Plan.

All revisions to the originally proposed (45-Day Notice) rulemaking text are highlighted in yellow and identified by double strikeout of the text to be deleted and double underline of the text to be added. Text revisions in the form DS 6016 and the revised ISOR are highlighted in yellow. Only comments addressing modifications in the text that appear in these noted formats will be considered.

A copy of the full text of the regulation as originally proposed with the newly proposed revisions clearly indicated is available on the Department’s internet website and paper copies may also be obtained by contacting Eric Gelber, Assistant Director of the Office of Legislation and Regulations at the address or fax number listed below.

The comment period extends from April 15, 2013, through 5:00 p.m. on April 30, 2015. All written comments received during this period which pertain to the indicated changes will be reviewed and responded to by the Department as part of the compilation of the rulemaking file. Please limit your comments to the modifications of the text. Any written comments received regarding the change must be responded to in the final statement of reasons.

General and substantive inquiries or comments concerning the proposed action may be directed to:

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