



MEMORANDUM

DATE	February 13, 2025
TO	OMBC Board Members
FROM	Terri Thorfinnson, J.D. Administrative Services Program Manager
RE:	Agenda Item 15 Rulemaking Update – 2025 Rulemaking for Pending or Proposed Regulations

Rulemaking Update Summary

The three regulatory packages are moving along in the rulemaking process. The CME/Audit and Cite and Fine package was approved to be submitted to the Office of Administrative Law (OAL) and OAL approved the package to be released for the 45-day comment period. The 45-day comment period ended January 8th, 2025. Comments and Board responses are being presented to the Board for review and approval at this meeting. The Fees and License Status rulemaking documents are under review with the Board’s Regulatory Counsel. The Disciplinary Guidelines are in the initial stages. Regulatory Counsel is reviewing language and drafting of the final language for board review is being done with the goal of presenting the proposed language at the May Board meeting.

Rebecca Marcos completed the Section 100 AB 1757 and Technical Clean-up Filing that made technical clean up changes to various regulations. This type of technical clean up does not need Board review or approval. The purpose of technical clean is a way to update non-substance changes to existing regulations. Rebecca worked with the Board’s Regulatory Counsel to finalize and submit. It was approved by OAL and is posted on the Board’s website:

https://www.ombc.ca.gov/laws_regulations/ab1757_oal_notice.pdf

We would never have been able to complete this clean-up without Rebecca’s work. She drafted the Cite and Fine language and documents that went into the combined CME and Audit and Cite and Fine rulemaking proposal. She also drafted the Fees and License Status Rulemaking language the Board approved and is drafting the rulemaking documents. She is also working with Erika and the Board Regulatory Counsel on drafting the updated Disciplinary Guidelines. Without her assistance, we would not be able to proceed with the various rulemaking proposals. Unfortunately, the Board will lose her at the end of the fiscal year. Rebecca’s experience with regulations and her part time position allowed the Board to accomplish a high volume of rulemaking over the last two years. Without a dedicated rulemaking staff, the Board’s rulemaking will be significantly reduced. Thank you, Rebecca Marcos, for your valuable work and time out of your schedule that you dedicated to assisting OMBC in catching up on rulemaking. We could not have done it without you.

Rulemaking Status: Continuing Medical Education and Cite and Fines

<i>Concept/ Draft language</i>	<i>DCA pre-review</i>	<i>Board approval of Language</i>	<i>Draft Regulatory documents/ review</i>	<i>DCA Director Approval</i>	<i>Agency Approval</i>	<i>DOF Approval</i>	<i>Filing regulatory package with OAL</i>
9.22.2018	3/5/18, 5/25/22, 6/29/23,9/19/23, 6/4/24,9/11/24	5/16/19,1/14/21, 1/19/23,8/17/23, 8/15/24	6/4/24, 9/11/24	October 2024	approved	approved	Submitted and approved to release for comments
<i>45-day comment period</i>	<i>Respond to comments and submit package to OAL</i>	<i>Final review with Regulatory Attorney</i>	<i>Submit to OAL for approval</i>	<i>OAL approval or denial</i>	<i>Effective Date</i>		
Completed January 8 th , 2025	Board review/ approval 2/13/2025 Board meeting						

Rulemaking Status: Fees and License Status

<i>Concept/ Draft language</i>	<i>DCA pre-review</i>	<i>Board approval of Language</i>	<i>Draft Regulatory documents/ review</i>	<i>DCA Director Approval</i>	<i>Agency Approval</i>	<i>DOF Approval</i>	<i>Filing regulatory package with OAL</i>
1/1/2024	2/1/24,2/15/24 2/28/24, 4/12/24, 4/12/24,5/9/24, 6/5/24,7/10/24, 7/22/24, 7/26/24	8/15/2024	pending				
<i>45-day comment period</i>	<i>Respond to comments and submit package to OAL</i>	<i>Final review with Regulatory Attorney</i>	<i>Submit to OAL for approval</i>	<i>OAL approval or denial</i>	<i>Effective Date</i>		

Rulemaking Status: Disciplinary Guidelines

<i>Concept/ Draft language</i>	<i>DCA pre-review</i>	<i>Board approval of Language</i>	<i>Draft Regulatory documents/ review</i>	<i>DCA Director Approval</i>	<i>Agency Approval</i>	<i>DOF Approval</i>	<i>Filing regulatory package with OAL</i>
1/31/2020	9/19/23, 10/9/23, 11/16/23, 3/8/24, 4/16/24, pending						
45-day comment period	<i>Respond to comments and submit package to OAL</i>	<i>Final review with Regulatory Attorney</i>	<i>Submit to OAL for approval</i>	<i>OAL approval or denial</i>	<i>Effective Date</i>		