

MEMORANDUM

DATE	September 26, 2024
TO	Board Members
FROM	Rebecca Mitchell Executive Officer California Board of Naturopathic Medicine
SUBJECT	Agenda Item 7: Discussion and Possible Action to Consider Amendments to California Code of Regulations, Title 16 (16 CCR), Section 4240 Regarding Fees.

The purpose of this memo is to provide background and recommendations to the Board regarding the above-mentioned rulemaking to increase the Board's license application, initial license, and renewal fees.

BACKGROUND

The Board proposes to amend Section 4240 of Article 7 of Division 40 of Title 16 of the CCR to increase license application, initial license, and renewal fees to address a structural imbalance within the Board's budget and to maintain a sufficient fund balance reserve.

The proposed regulatory language, which the Board approved on March 28, 2024 to address the structural imbalance, was prepared, posted and opened for public comments beginning on August 9, 2024. Responses to comments are addressed on Agenda Item 6. The text of the proposed language, Notice of Proposed Action (Notice) and the Initial Statement of Reasons (ISOR) that explain the purpose and necessity for these fee increases have been posted on the Board's website, and may be found here:

https://www.naturopathic.ca.gov/laws/proposed_regulations.shtml.

RECOMMENDATIONS:

If the Board rejects the previously discussed comments in Agenda Item 6 and makes no further changes to the proposed text, staff recommends the Board

consider the following motion to complete the rulemaking process and adopt the proposed text:

Motion A (If there are no changes to the proposed text by members):

Direct staff to take all steps necessary to complete the rulemaking process including the filing of the final rulemaking package with the Office of Administrative Law, authorize the Executive Officer to make any non-substantive changes to the proposed regulation and the rulemaking documents, and adopt the proposed regulations as noticed for 16 CCR section 4240 as set forth in Attachment 1.

If the Board decides it wishes to make changes to the originally proposed and noticed text, the Board may use the following motion:

Motion B (If there are changes to the proposed text by members at this meeting):

To approve the proposed modified regulatory text for section 4240 that includes the following changes to Attachment 1 [describe amendments here] and direct staff to take all steps necessary to complete the rulemaking process, including sending out the modified text with these changes for an additional 15-day comment period. If after the 15-day public comment period, no adverse comments are received, authorize the Executive Officer to make any non-substantive changes to the proposed regulation, and adopt the proposed regulations as described in the modified text notice for Title 16 CCR section 4240.

ATTACHMENT

1. Proposed Regulatory Language for 16 CCR section 4240