

FINAL STATEMENT OF REASONS

UPDATE OF INITIAL STATEMENT OF REASONS

As authorized by Government Code Section 11346.9(d), the Department of Health Care Services (Department) incorporates by reference the Initial Statement of Reasons prepared for this rulemaking.

PUBLIC COMMENT PERIODS / PUBLIC HEARING

The regulation text was made available for public comment for at least 45 days, from July 24, 2015 through September 8, 2015.

The Department received one comment from the California Nurses Association (CNA) on July 30, 2015.

Comment: The CNA expressed support for the proposed regulations.

Response: The Department appreciates CNA's support for the proposed regulations.

The Department did not receive a request for a public hearing.

AMENDMENTS TO THE INITIAL STATEMENT OF REASONS

On page three of the Initial Statement of Reasons, a non-substantive amendment is made to correct a clerical error in the reference to Documents Relied Upon. Specifically the effective date of the California State Plan Amendment (SPA) TN 12-011, Attachment 3.1-A, page 7 and Attachment 3.1-B, page 6 is updated from July 1, 1991 to October 1, 2012.

LOCAL MANDATE DETERMINATION

The Department has determined that the proposed regulations would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

ALTERNATIVES CONSIDERED

The Department has determined that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which this regulatory action was taken, would be as effective and less burdensome to affected private persons than the regulatory action, or would be more cost-effective to affected

private persons and equally effective in implementing the statutory policy or other provision of law.

Regulations related to Medi-Cal benefits (including hospice care) are located in Title 22, CCR, Chapter 3, Health Care Services. Using this regulatory proposal to make amendments related to hospice care is the most effective and convenient method to provide current information for providers and beneficiaries who receive these services. This regulatory action will also align these regulations with federal and state law and with the California State Plan, as described above.