

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

1700 K STREET
SACRAMENTO, CA 95814-4037
TDD (916) 445-1942



September 2, 2009

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

**Amend Section 10518 and 10529,
Repeal Sections 10532 and 10533, and
Adopt Sections 10700 and 10701,
Title 9, California Code of Regulations**

LICENSURE AND CERTIFICATION FEES**Notice of Public Hearing**

NOTE: This notice affects only residential alcoholism or drug abuse recovery or treatment facilities licensed or certified by the Department of Alcohol and Drug Programs (ADP) and outpatient alcohol and drug programs certified by ADP. This notice merely announces the time and place of a public hearing; it does not increase licensure or certification fees. In fact no action is required on your part at this time, unless you wish to attend the public hearing described below or submit written testimony to ADP.

As added by Chapter 177 (Senate Bill 84), Statutes of 2007, Health and Safety Code (HSC) Section 11833.02 requires the Department of Alcohol and Drug Programs (ADP) to charge fees for licensure and certification of all residential alcoholism or drug abuse recovery or treatment facilities and for certification of outpatient alcoholism or drug treatment programs, regardless of the form of organization or ownership. ADP originally implemented those fees in 2007 through ADP Bulletin 07-11, as authorized by HSC 11833.04. On June 29, 2009, ADP codified those fees in Title 9 of the California Code of Regulations on an emergency basis on June 29, 2009. On July 30, 2009, ADP complied with the public notice provisions of Government Code (GC) Section 11346.4 by sending a notice of written 45-day public comment period to all licensed or certified providers of alcohol or drug treatment services, to all county alcohol and drug program administrators, and to everyone else who had filed a request for notice of regulatory actions. The notice, the full text of the regulatory changes, the initial statement of reasons, and the finding of emergency are available electronically on ADP's website at <http://www.adp.ca.gov> and the notice is also available on the Office of Administrative Law's website at <http://www.oal.ca.gov>. As stated in the public notice, ADP will accept written comments on the subject regulatory rulemaking from July 30, 2009 through 5 p.m. on September 14, 2009.



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In response to recent public request, ADP will hold a public hearing at the date, time, and location specified below in order to accept oral and written testimony on the emergency regulations that took effect on June 29, 2009. Accordingly, ADP will extend the public comment period until 5 p.m. on September 15, 2009 in order to accommodate the public hearing. Due to State budget constraints, ADP has scheduled only one (1) public hearing, which will begin at 2 p.m. on Tuesday, September 15, 2009, in the first floor conference room located ADP's offices at 1700 K Street, Sacramento, CA 95814-4037.

During the public hearing, any member of the public may present oral or written testimony on the subject regulatory rulemaking. All oral testimony will be recorded. Although you are not required, to do so, ADP requests that you provide a written copy of any oral testimony to facilitate transcription. In order to accommodate everyone wishing to present oral testimony in the time allotted and to allow for sufficient consideration of all testimony, ADP will not provide an opportunity at the public hearing for back and forth discussion of the testimony presented. However, ADP will summarize and respond to all oral and written testimony in writing in the final statement of reasons portion of the rulemaking file for this regulatory rulemaking action. ADP will make the final statement of reasons available on the ADP website specified above and will send a copy of any additional changes to everyone who presented oral or written testimony or requested a copy of any additional changes.

Please note that you are not required to attend the public hearing. ADP will give equal consideration to all testimony presented at the hearing or submitted to ADP in writing at any time during the public comment period that ends at 5 p.m. on September 15, 2009. The 45-day public notice explains how to submit written testimony to ADP, the scope of testimony allowed, and how ADP will make available any additional changes it makes in response to public comment. Due to State budget constraints, ADP is not able to attach an additional copy of the 45-day notice, the full text of the regulatory changes, the initial statement of reasons, or the finding of emergency to this notice, however all of those documents are available for your review on the ADP website specified above.

If you have any questions about the public hearing or the status of this regulatory rulemaking action, please contact Mary Conway by telephone at (916) 327-4742 or by e-mail at mconway@adp.ca.gov. If you have questions about how this regulatory rulemaking will affect your licensed residential facility or certified outpatient program, please contact Cathy Sorenson at (916) 322-4251 or by e-mail at csorenson@adp.ca.gov. Thank you.