

BOARD OF PODIATRIC MEDICINE

FINAL STATEMENT OF REASONS

Hearing Date: February 24, 2012

Subject Matter of Proposed Regulations: Disciplinary Guidelines

Section(s) affected: 16 CCR 1399.710

Updated Information

The Initial Statement of Reasons is included in the file.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Small Business Impact

This action will not have any impact on small businesses because the regulations are applicable only to doctors of podiatric medicine who are disciplined by the Board of Podiatric Medicine and placed on probation.

The specific benefits anticipated from the proposed amendment include greater protection of public health and safety, as well as improved worker safety through the setting of improved licensee rehabilitation standards employed by California Healing Arts Boards.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the Board of Podiatric Medicine would be more effective in carrying out the purpose for which it was proposed or would be as effective and less burdensome to affected private persons than the adopted regulation or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Objections or Recommendations/Responses

There were no objections or recommendations regarding the proposed action.

The following recommendation and/or objections were made regarding the proposed action:

Finding of Necessity

This regulation will not require licensees to submit a report.

Incorporation by Reference – 1 CCR 20

The incorporation by reference method was used because it would be impractical and cumbersome to publish the disciplinary guidelines in the California Code of Regulations (CCR). The guidelines are intended to assist administrative law judges, attorneys, licensees, and others involved in the disciplinary process. The guidelines were developed to establish consistency and impose the most appropriate penalty in administrative disciplinary actions for similar offenses on a statewide basis. They are extensive and have been printed booklet-style. If the guidelines were incorporated into the CCR, it would increase the size of Division 13.9 may cause confusion to the user. The guidelines were made available to the public and posted on the board's website.