

DEPARTMENT OF STATE HOSPITALS

15-DAY NOTICE OF PUBLIC AVAILABILITY OF MODIFIED TEXT

PROPOSED RULEMAKING FOR ADOPTION OF SEXUALLY VIOLENT PREDATOR EVALUATION PROCESSES

California Code of Regulations
Title 9. Rehabilitative and Developmental Services
Division 1. Department of Mental Health
Chapter 15. Assessment of Sexually Violent Predators

Public Hearing Date: January 2, 2018
Public Availability Date: April 9, 2018
Deadline for Public Comment: April 24, 2018

This notice announces a 15-day comment period in which **the public may comment on the modifications to the originally proposed text** for the sexually violent predator evaluation processes regulation. This notice is issued pursuant to Government Code section 11346.8, subsection (c), California Code of Regulations, title 1, section 44, and Government Code section 11347.1.

This regulatory action was originally noticed and published in the California Regulatory Notice Register and was also mailed on November 17, 2017. The originally proposed regulatory action is described in detail in the ISOR and can be found at: <http://www.dsh.ca.gov/Publications/Regulations.aspx>

No action by the public is necessary unless persons wish to comment on the proposed modified text.

The Proposed 15-Day Modified Text is available on the Department of State Hospitals (DSH or Department) Internet Web site under the Assessment of Sexually Violent Predators - Regular Rulemaking Proceeding, "15-Day Notice of Public Availability of Modified Text" at: <http://www.dsh.ca.gov/Publications/Regulations.aspx>

This rulemaking and all documents relevant to it shall be physically available at the address indicated below under WRITTEN COMMENTS, between 8:00 a.m. and 5:00 p.m. on April 9, 2018 through April 24, 2018, or by request to the persons also indicated below.

SUMMARY OF THE PROPOSED MODIFICATIONS

The proposed adoption of new text and sections in the 45-day notice were released on November 17, 2017 and are shown in plain text. The 15-day proposed modifications are shown in single underline to indicate additions and ~~single-strikeout~~ to indicate deletions from the originally proposed regulatory text.

The following 15-day modifications were made to the Regulation Text:

1. In Section 4020.1, subdivision (b) was eliminated and clarified in section 4020.1, subdivision (a)(1).
2. In Section 4020.1, subdivisions (a)(1) was added and (a)(2) was modified, to clarify when independent evaluators will be appointed for a difference of opinion.

In addition to the modifications described above, additional modifications correcting grammar, changes in numbering and formatting have been made to improve clarity. These changes are nonsubstantive.

WRITTEN COMMENTS

The Department invites all interested persons to provide comments relevant to the Proposed Modified Text. The public may comment only in writing, submitted by postal mail, fax, or electronically as follows:

Postal mail: Regulations Unit
RE: SVP Evaluation Processes 15-Day Notice
Department of State Hospitals
1600 9th Street, Room 410
Sacramento, California 95814

Fax: (916) 651-3090 (include **RE: SVP Evaluation Processes**)

Electronic submittal: DSH.Regulations@dsh.ca.gov

Please include **RE: SVP Evaluation Processes** in the subject area of the email.

All written comments received by **April 24, 2018**, no later than 5:00 p.m., which pertain to the Proposed Modified Text will be considered and responded to by the Department. The Department will prepare the Final Statement of Reasons (FSOR) which will provide a response to all timely comments received. The Department will submit the FSOR and the final text of the regulation to OAL and will also post the documents on the DSH Internet Web site.

CONTACT PERSONS

Inquiries concerning the substance of the proposed regulatory action may be directed to the agency representative Ms. Maria Latino, *SVP/MDO Program Manager*, Forensics Division, (916) 651-3206 or (designated back-up contact), Ushrena Wenell, *Staff Services Manager I*, Forensics Division, (916) 651-3220.

Attachment