



The California Managed Risk Medical Insurance Board

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Agency

November 18, 2011

**ADVANCE NOTICE OF INTENT TO FILE EMERGENCY REGULATIONS
ER-5-11**

**TITLE 10: CALIFORNIA CODE OF REGULATIONS
CHAPTER 5.6 ACCESS FOR INFANTS AND MOTHERS PROGRAM**

NOTICE IS HEREBY GIVEN in accordance with Government Code Section 11346.1(a) (2), which requires that State of California agencies give a five working day advance notice of intent to file emergency regulations with the Office of Administrative Law (OAL). The Managed Risk Medical Insurance Board (MRMIB or Board) intends to file an Emergency Rulemaking package with the Office of Administrative Law (OAL), in order to exclude maternity care in connection with paid surrogacy. As required by subdivisions (a)(2) and (b)(2) of Government Code Section 11346.1, this notice appends the following: (1) the specific language of the proposed regulation and (2) the Finding of Emergency, including specific facts demonstrating the need for immediate action, the authority and reference citations, the informative digest and policy statement overview, attached reports, and required determinations.

The Board plans to file the Emergency Rulemaking package with OAL at least five working days from the date of this notice. If you would like to make comments on the Finding of Emergency or the proposed regulations (also enclosed), they must be received by both the Board and the Office of Administrative Law within five calendar days of the Board's filing at OAL. Responding to comments received at this point in the process is strictly at the Board's discretion.

Comments should be sent simultaneously to:

Managed Risk Medical Insurance Board
Attn: Dianne Knox, ER-5-11
1000 G Street, Suite 450
Sacramento, CA 95814
Fax (916) 445-0898
E-mail to amalik@mrmib.ca.gov.

And

Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814
Fax to (916) 323-6826
E-mail to staff@oal.ca.gov.

Please note that this advance notice and comment period is not intended to replace the public's ability to comment once the emergency regulations are approved. The Board will hold a public hearing and 45-day comment period within the 180 day certification period following the effective date of the emergency regulations.

Please contact Dianne Knox at 916-324-0592 or dknox@mrmib.ca.gov if you have any question concerning this Advance Notice.

Enclosures