

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 (ISOR) prepared for this rulemaking.

PUBLIC COMMENT PERIODS / PUBLIC HEARING

The regulation text was made available for public comment for at least 45 days, from March 15, 2024 to May 1, 2024; two public comments were submitted.

There was no public hearing scheduled for this regulatory action.

No changes were made to the proposed regulations or the Initial Statement of Reasons following the 45-Day Public Comment Period.

SUMMARY AND RESPONSE TO PUBLIC COMMENTS

Summaries and responses to comments received during the 45-Day Public Comment Period are in the Addendum to this document.

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 determined that no reasonable alternatives considered by the Department or otherwise identified and brought to the attention of the Department would be more effective in carrying out the purposes for which this regulatory action was proposed, 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.

This determination was made because the regulated public looks to the California Code of Regulations for current and legally valid regulatory requirements and the existing regulations related to psychology services are outdated. Amending these regulations to remove outdated benefits information including procedure codes and reimbursement rates is the least burdensome; and most effective and cost-efficient means of providing this information to providers and others affected by the regulations, in a location where the information is both anticipated, and easily accessible.

Further, the regulations as proposed direct providers to the Department's Medi-Cal Provider website for current procedure codes and reimbursement rates for psychology services, which is objectively faster, less costly, and administratively more efficient than alternative methods for sharing information, such as sending out letters or bulletins, or promulgating regulations.

Not promulgating regulations was not an option because the existing regulations had to be updated to provide those impacted with current information and requirements related to psychology services.

Lastly, no other alternatives were brought to the attention of the Department prior to or during the rulemaking process.