

State of California
DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Workers' Compensation

FINAL STATEMENT OF REASONS
AND UPDATE OF INFORMATIVE DIGEST
Subject Matter of Regulations:
Workers' Compensation - Official Medical Fee Schedule

Title 8, California Code of Regulations Section 9789.11

The Administrative Director of the Division of Workers' Compensation, pursuant to the authority granted by Labor Code Sections 59, 127, 133, 4603.5, 5307.1, and 5307.3, has adopted the following amendment to Title 8, California Code of Regulations:

Section 9789.11 Physician Services Rendered on or after July 1, 2004

UPDATE OF INITIAL STATEMENT OF REASONS AND INFORMATIVE DIGEST

As authorized by Government Code §11346.9(d), the Administrative Director incorporates the Initial Statement of Reasons and the initial Informative Digest prepared in this matter. There have been no changes to the statutes directly relating to this rulemaking. There are no proposed regulation changes.

MODIFICATIONS TO THE TEXT FOLLOWING THE PUBLIC HEARING

There were no modifications to the text after the public hearing on August 1, 2005

UPDATE OF MATERIAL RELIED UPON / DOCUMENTS ADDED TO RULEMAKING FILE

The Division has complied with the requirements of Government Code Section 11347.1. The Division did not rely upon any documents beyond the documents identified in the Initial Statement of Reasons. No material was added to the record of the rulemaking proceeding after the close of the public hearing or comment period, except for material prepared pursuant to Government Code Section 11346.9.

LOCAL MANDATES DETERMINATION

- Local Mandate: None. The proposed regulations will not impose any new mandated programs or increased service levels on any local agency or school district. The proposed amendments do not apply to any local agency or school district.

- Cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code: None. The proposed amendments do not apply to any local agency or school district.
- Other nondiscretionary costs/savings imposed upon local agencies: None. The proposed amendments do not apply to any local agency or school district.

CONSIDERATION OF ALTERNATIVES

The Division considered all comments submitted during the public comment period, and has not made any modifications to the regulations as initially proposed, based on those comments. The Administrative Director has now determined that no alternatives proposed by the regulated public or otherwise considered by the Division of Workers' Compensation would be more effective in carrying out the purpose for which this regulation was proposed, nor would they be as effective and less burdensome to affected private persons and businesses than the regulation that was adopted.

SUMMARY OF COMMENTS RECEIVED AND RESPONSES THERETO CONCERNING THE REGULATIONS ADOPTED

The comments of each organization or individual are addressed in the following chart.

The public comment period was as follows:

Initial 45-day comment period on emergency regulations:

June 17, 2005 through August 1, 2005.